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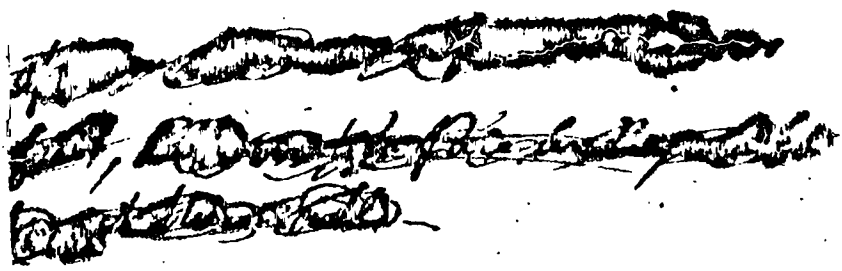

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MARY QUEEN OF SCOTS.

taken from a Silver Coin dated 1561.

Publish'd 1.st April 1783, by J.Murray N.o 32 Fleet street, & G.Robinson Paternoster Row.

THE

HISTORY

OF

SCOTLAND,

FROM THE

ESTABLISHMENT OF THE REFORMATION,

TILL THE DEATH OF

QUEEN MARY.

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TO WHICH ARE ANNEXED,

OBSERVATIONS CONCERNING THE PUBLIC LAW AND THE CONSTITUTION OF SCOTLAND.

By GILBERT STUART, DOCTOR OF LAWS,

AND MEMBER OF THE SOCIETY OF ANTIQUARIES AT EDINBURGH.

IN TWO VOLUMES.

VOL. I.

THE SECOND EDITION.

LONDON,

PRINTED FOR J. MURRAY, N° 32, FLEET-STREET,

AND G. ROBINSON, PATER-NOSTER-ROW.

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ADVERTISEMENT.

THE ſubject I have undertaken is of great curioſity, and has attracted a moſt general attention. But from its importance and its peculiarities, it has engaged the paſſions rather than the candour of our Hiſtorians; and no performance, in which it is treated, has yet been offered to the Public, that can be pronounced to be faithful and impartial. The propriety of this opinion will be readily acknowledged, by all thoſe who have attended minutely to the life of Queen Mary; and it is illuſtrated in a very clear and deciſive manner by the controverſial writings, which examine the greater and the more momentous tranſactions of her reign.

It appeared to me, therefore, to be an object worthy of a laudable ambition, to attempt the arduous taſk of recording with fidelity a moſt intereſting period of the Scottiſh ſtory; and being fully conſcious of its difficulties, I have laboured anxiouſly to ſurmount them. I had no intereſt to love or to hate, to accuſe or to defend, to conceal facts, or to diſguiſe them. I have not been intimidated from declaring my ſentiments by any

apprehenſion of danger; and it will not be imputed to me, that I have been miſled by any baſe ſpirit of adulation.

But though I have exerted myſelf to attain a perfect impartiality, I preſume not to think that my abilities have done juſtice upon every occaſion to the ſincerity of my intentions. I am, accordingly, very far from being diſpoſed to inſiſt pertinaciouſly upon what I have written. My mind is open to conviction; and where I am wrong, I ſhall be happy to correct my miſtakes. It is my wiſh, not to raiſe a monument to my prejudices, but to build a Temple to Truth.

London, 1ſt March, 1782.

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THE

THE HISTORY OF SCOTLAND.

BOOK I.

MARY STUART, the daughter of James V. was born in the royal palace of Linlithgow. Her mother was Mary, the eldeſt daughter of Claude duke of Guiſe, and the widow of Louis duke of Longueville *. The death of her father, which happened a few days after her birth, and the proſpect of a long minority, ſtimulating the ambition, and employing the policy of Henry VIII. endangered her ſecurity, and the independency of the Scottiſh nation. It was therefore thought expedient by her mother the Queen Dowager to convey her to France; and there ſhe received her education in the court of Henry II †. The opening powers of her mind, and her natural diſpoſitions, afforded very ample hopes of capacity and merit. After being taught to work with her

Book I.

8th December, 1542.

The birth, and education of Mary.

* Monſ. Le Laboureur, Additions aux Memoires de Caſtelnau, ap. Jebb, p. 473.

† Ribier, Lettres & Memoires D'Etat, vol. ii. p. 151.

Book I. needle, and in tapeſtry, ſhe was inſtructed in the Latin language; and ſhe is ſaid to have underſtood it with an accuracy, that is uncommon in perſons of her high rank. In the French, the Italian, and the Spaniſh tongues her proficiency was greater; and ſhe ſpoke them not only with propriety but with eaſe. She walked and danced with an enchanting gracefulneſs; and ſhe was qualified, by nature as well as art, to attain to diſtinction and eminence in painting, poetry, and muſic. The beauty of her perſon advanced with her accompliſhments, added to their luſtre, and armed her with an irreſiſtible attraction *.

Her marriage with Francis II. While the Queen Dowager was induced to ſend Mary to Henry II. for the ſecurity of her perſon, ſhe was ſolicitous by this meaſure, to facilitate her marriage with his ſon the Dauphin. It was in vain, that the Conſtable Montmorency oppoſed this alliance with all his influence. The perſonal charms and endowments of the Queen of Scots, the importance of her kingdom to France, and the power of her uncles the princes of Lorraine, were more than ſufficient to counteract all his intrigues †. The Dauphin obtained the moſt beautiful princeſs of Chriſtendom; and Henry II. dying ſoon after, they mounted the throne of France. In this conſpicuous ſituation, Mary did not fail to diſtinguiſh herſelf. The weakneſs of her huſband Francis, ſerved to exhibit her accompliſhments and addreſs to the greateſt advantage; and in a court, the moſt agreeable and the moſt polite in Europe, ſhe learned the firſt leſſons of royalty. But, this ſcene of ſucceſsful grandeur, and of unmixed

* Conaeus, vit. Mariae, ap. Jebb, p. 15. Additions aux Mem. de Caſtelnau, p. 478.

† Sir James Melvil, Memoirs of England and Scotland, p. 51.

happineſs

happineſs and enjoyment, did not laſt long. Francis died unexpectedly, after a ſhort reign of ſixteen months *. Regret for her huſband, her own humiliation, the diſgrace of the princes of Lorraine, and the indifference and neglect of Catharine de Medicis, the Queen Mother, who governed her ſon Charles IX. plunged Mary into inexpreſſible ſorrow †. And when ſhe turned her eyes to the diſtracted condition of her native country, her diſtreſs and inquietudes were embittered. Mary of Lorraine, her mother, had ſunk under the buſy, the important, and the difficult tranſactions which characteriſe her regency. Her death expoſed Scotland to all the outrages of faction. It was without the preſence of its ſovereign, and without a regent. Loaded with afflictions, and torn with melancholy apprehenſions, Mary tried to reconcile herſelf to the thoughts of returning to her own kingdom.

His death, Dec. 1560.

The eſtabliſhment of the Proteſtant religion in Scotland, though it humbled the Roman Catholics, did not annihilate all their hopes. They ſtill fondly flattered themſelves, with the proſpect of being able to reſtore the antient religion; and the Proteſtant party, encouraged by ſucceſs, were reſolute to maintain their acquiſitions ‡. Upon the death of Francis, it was the object of both factions to conciliate the affections, and to procure the ſupport of Mary. They perceived, that as ſhe had brought no iſſue to him, ſhe would ſoon bid an adieu to France, and take upon her the adminiſtration of Scotland. Active and ſtrenuous, they immediately thought of ſending ambaſſadors to her to haſten her return, to expreſs their allegiance, and to make the offer of

She is invited by her ſubjects to take upon her the Government of Scotland.

The ſtate of parties there.

* Pere Daniel, Hiſt. de France, vol. v. p. 700. † Memoires de Caſtelnau, ap. Jebb, p. 454. ‡ See the Hiſtory of the Eſtabliſhment of the Reformation of Religion in Scotland.

Book I. their ſervices. A convention of the Scottiſh Eſtates deputed to her the lord James Stuart, her natural brother, upon this errand; and, before his departure, he was admoniſhed by the Proteſtant preachers who had contributed to his greatneſs, not to conſent that the Queen ſhould have the liberty to celebrate the maſs within her kingdom either publicly or in private. He engaged himſelf never to allow its public celebration; but inſiſted, that the exerciſe of this ceremonial of her religion ought to be permitted to her privately in her palace*. The Roman Catholic faction made choice of John Leſly, Official and Vicar General of the Dioceſe of Aberdeen, to act in the capacity of their repreſentative or commiſſioner†. In this intereſting ſtate of her kingdom, an anxious ſolicitude prevailed among all ranks of men, to know the ſentiments of their Sovereign, and to diſcover the channel into which ſhe was to turn her favour.

The invitation and views of the Roman Catholics.

Leſly, the ambaſſador from the Roman Catholics, a man of activity and addreſs, getting the advantage of the lord James Stuart, found Mary at Vitrie in Champagne, and paid his homage to her. He preſented the letters of invitation from the nobility and clergy of the Roman Catholic perſuaſion; and being received with attention and courteſy, was forward to diſcloſe the commiſſion with which he had been entruſted. He explained in ſtrong terms the ambition of the lord James Stuart, her natural brother, and beſought her to guard with anxiety againſt the allurements of his artifice and converſation. It was his intention, he ſaid, to diſſuade her from carrying with her any French troops into Scotland, that, by throwing her into a dependence

14th April, 1561.

* Knox, Hiſt. of the Church of Scotland, p. 283.

† Keith, Hiſtory of the Church of Scotland, p. 157.

upon

upon him, he might be enabled to ſtrike an irrecoverable and deadly blow againſt the Roman Catholic religion. At the ſame time he acknowledged, that it was not from any reſpect to the Proteſtant doctrines, that her brother was ſo eager to uphold them. This ſtrain of conduct he repreſented as merely political, and as the reſult of the deſire of this ſtateſman to mount to grandeur by the ſureſt ſteps; and he informed her, that he had already fixed his eyes upon her crown and ſceptre. It conſiſted, therefore, he aſſured her, with her ſecurity and prudence to obtain the confinement of her brother in France, till her wiſdom and precautions, could re-eſtabliſh completely the government and order of her kingdom. If ſhe was averſe, however, from this meaſure, he told her that his inſtructions were to adviſe her to land in ſome of the northern diſtricts of Scotland, where her friends were moſt numerous; and to admoniſh her, that in the event of her accepting this counſel, an army of twenty thouſand men ſhould be ready to accompany her to Edinburgh, to reſtore and protect the Roman Catholic religion, and to diſcomfit and overawe her enemies. After executing his commiſſion, Leſly was enjoined by her to continue in her train, till ſhe ſhould return to Scotland; and, in the mean time, was commanded to addreſs letters to the nobility and prelates whom he repreſented, to let them know, that ſhe was ſoon to reviſit her native country, and that ſhe had received with the greateſt pleaſure their profeſſions of regard and attachment *.

Book I. 1561.

The day after Leſly had his audience, the lord James Stuart was introduced to Queen Mary at St. Diziers. While he deſcribed the anxiety with

The invitation of the Proteſtants.

* Leſly, de Reb. geſt. Scot. ap. Jebb, p. 227. Spotſwood, Hiſt. of the Church and State of Scotland, p. 151.

Book I. 1561.

which her ſubjects waited for her arrival among them, he neglected not to make profeſſions of the fidelity and zeal with which he was animated to advance her intereſts. He repreſented Scotland as now ſubſiding into a calm, and recommended to her a reſpect for its antient conſtitution and for the Proteſtant religion, as the ſureſt method of guarding againſt new inſurrections. A ſtanding army and foreign troops, he ſaid, were infinitely hoſtile to the government and genius of her people. Theſe expedients, at all times dangerous, would in the preſent ſituation of affairs, excite the moſt dangerous commotions. It was by far more prudent to confide in the generoſity of her ſubjects. He intreated her therefore to reviſit them without guards, and without ſoldiers; and he became ſolemnly bound to ſecure to her their obedience. Confiding in his profeſſions, and conſcious of the rectitude of her own intentions, Mary hoped that ſhe would ſoon be able to cement all diviſions, and to put an end to the animoſities which had ſo long diſturbed her country. The lord James Stuart, to whom ſhe was previouſly diſpoſed to pay a flattering reſpect, accompanied her to Joinville; and cultivating the moments of kindneſs and favour, procured from her in promiſe the earldom of Murray. Pleaſed with his negociations, he now returned to Scotland with the view of preparing her ſubjects for her reception. Mary felt an extreme joy in conciliating to her a ſtateſman of ſo great power and ability; and, at this time, her pride was alſo ſoothed by the appearance of the earls of Bothwel and Eglinton, the biſhop of Orkney, and other perſons of rank, who had come to France to do her honour, and to court her attention *.

* Buchanan, Hiſt. Rer. Scot. lib. xvii. Leſly, de Reb. geſt. Scot. ap. Jebb, p. 228.

Though

1561. The prudence of Mary.

Though Mary was a Papiſt, and warmly attached to her religion, ſhe was careful not to enter into the views of the Roman Catholics. They were not ſufficiently ſtrong to oppoſe the Proteſtants with any probability of ſucceſs. The eſtabliſhment of the reformed religion in Scotland, was a recent and a ſtriking proof of their weakneſs. Queen Elizabeth was engaged in an intimate connexion with the Proteſtants; and their power, without the concurrence of England, was formidable enough to awaken apprehenſions. Upon France ſhe could not depend for any conſtant or efficacious aſſiſtance, during the regency of Catharine de Medicis, who hated her as an enemy. The diſtreſſes of her mother, and her dying injunctions, recommended in ſtrong terms the reformed party to her attention and management. The Count de Martiques, who had commanded the French troops in Scotland, and D'Oyſel who had acted there both in a civil and military capacity, Jacques de la Broſſe, and Pellevé biſhop of Amiens, who were in the commiſſion of the Plenipotentiaries from France, for concluding the treaties at Edinburgh with the Proteſtants*, all concurred to point out this direction to her conduct. They even named the lord James Stuart, and the earl of Argyle, Maitland of Lethington, and Kircaldy of Grange, who had been principal actors in the reformation, as the perſons upon whom ſhe ought to beſtow her countenance and protection. And the princes of Lorraine, her uncles, who were now declining from greatneſs, ſcrupled not to give it as their counſel, that it was proper for her to yield to the current of the times, and the peculiarities of her ſituation†.

* See the Hiſtory of the Eſtabliſhment of the Reformation of Religion in Scotland. † Melvil, p. 61.

BOOK I.

1561. She takes the neceſſary ſteps for departing from France.

The exceſs of her ſorrow, joined to the newneſs, the greatneſs, and the complication of her cares, throwing Mary into a ſeveriſh diſorder, ſhe was prevented from taking the earlieſt opportunity to execute her reſolution of returning to Scotland. It was not long, however, before ſhe recovered her health; and leaving Joinville, ſhe proceeded to Rheims, and then to Paris, finally to adjuſt her private concerns, and to take the neceſſary ſteps for her departure. The politeneſs of the court of France was now exerted in inventing amuſements to ſolace her inquietudes, and to diminiſh her anxiety. But ſuch ſtately conſolations ſerved only to augment her uneaſineſs; as they every moment brought back to her memory the ſplendour from which ſhe had fallen. It was in this condition of her mind, that the intrigues of Elizabeth opened up to her a freſh ſpring of affliction *.

The ſource of Queen Elizabeth's jealouſy of Mary.

Henry II. king of France had proclaimed the title of Mary to the crown of England to be preferable to that of Elizabeth. Francis and Mary had quartered the arms of England with thoſe of France and Scotland; and a bull from Rome had declared Elizabeth to be the offspring of an illegal commerce. Theſe affronts made a deep impreſſion upon her. It was her nature to feel with ſenſibility; and her hatreds did not diminiſh with time. To repreſs the ambition of the Scottiſh Queen, and to give a check to the encroaching ſpirit of the court of France, ſhe had joined her power to that of the Proteſtants of Scotland, and had enabled them to overturn Popery, and to eſtabliſh the reformed doctrines; and ſhe had inſtructed her miniſters in concluding the treaty of peace at Edinburgh, to

* Leſly, de Reb. geſt. Scot. ap. Jebb, p. 229.

procure

procure the inſertion of a clauſe, which bound Francis and Mary to abſtain *for ever* from aſſuming the title and arms of England and Ireland *. Cecil and Wotton, her plenipotentiaries, were more profound as well as more determined than thoſe of France; and Monluc and Randan not attending ſufficiently to the unbounded meaning of this article, or intimidated by threats, gave it inadvertently the authority of their ſanction †.

She preſſes her ratification of the treaty of Edinburgh.

Queen Elizabeth had confirmed this treaty at an early period after its concluſion; and when ſhe diſpatched the earl of Bedford to congratulate Charles IX. upon his acceſſion to the crown of France, ſhe gave him a particular commiſſion to requeſt Mary to beſtow her ratification upon it. Soon after, a new requiſition of this meaſure was ſolicited upon her part, by her ambaſſador Sir Nicholas Throgmorton. The demand however had yet been claimed with great gentleneſs. But, now that Mary was at Paris, making ſerious preparations to return to Scotland, Throgmorton was commanded to preſs the ratification in the ſtrongeſt terms. This miniſter was eminent for ſagacity and addreſs; and Mary had occaſion for all her firmneſs and penetration. She expreſſed to him the entire ſatisfaction it would be to her to enjoy the perfect amity of Elizabeth, and her willingneſs to take every proper occaſion to pleaſe her. But ſhe deſired to obſerve, that while ſhe was herſelf very deeply concerned in the matter of the ratification, her nobles and people were alſo warmly intereſted; and that they might juſtly complain, if ſhe ſhould preſume to decide in a tranſaction of ſuch high importance without conſulting them. She intended ſoon, ſhe ſaid, to

June.

* Rymer, Foedera, vol. xv. p. 594. † Haynes, State Papers, p. 340.

reviſit

Book I. 1561. reviſit Scotland, and ſhe meant immediately to diſpatch Monſ. D'Oyſel to notify this reſolution to the court of England. The opportunity, therefore, of conferring with her nobles and people would arrive in a ſhort time; and nothing in her power ſhould be left undone, to gratify the expectations of her ſiſter the Queen of England. It was urged by Throgmorton, that the ſlighteſt doubt could not be entertained of the favourable ſentiments of the nobles and eſtates of Scotland, becauſe the treaty had been concluded with their advice, and by their operation. Mary anſwered, that ſome of her nobles and people had indeed been active in the treaty; but that all of them had by no means concurred in it. This conference was nowiſe ſatisfactory to Throgmorton; and his diſpatches rouſed the pride and the apprehenſions of Queen Elizabeth *.

The jealouſies of the two Queens increaſe. After theſe repeated demands to confirm the treaty of Edinburgh, and after that Throgmorton had ſtrenuouſly inſiſted upon the buſineſs, it appeared to the Queen of England, that Mary's conduct was an indication of a concerted plan to overturn all its purpoſes. She dreaded, that the friendſhip and connexion ſhe had formed with Scotland would be infringed and broken; that attempts would be made to re-eſtabliſh the Roman Catholic religion; and that Mary would employ herſelf ſedulouſly to revive the antient alliance of her kingdom with France. The preſence of this princeſs in Scotland, her arts, her favour might ſoon operate ſo far upon her Proteſtant nobles as to induce them to abandon the Engliſh alliance; and ſhe was ſure of obtaining the full ſtrength and concurrence of the Roman

* Keith, p. 165. 167.

Catholic

Catholic faction. Alarmed with her fears, Elizabeth addreſſed herſelf to the Eſtates of Scotland, detailing her ſervices, reminding them of the alliance * between them, complaining of the conſtant refuſal of Mary to ratify the treaty of Edinburgh, and inſiſting to know whether they had departed from the intentions which had ſo lately been expreſſed by them. As the parliament was not now aſſembled, the council of the Proteſtant nobles aſſured her in return to her remonſtrance, that it was their chief care to maintain a perpetual peace between the two realms. It did not become them to judge from what motives their ſovereign refuſed the confirmation of the treaty. But they were conſcious, that no blame could be imputed to them upon this account. Their intentions were not altered; their counſel and votes were at her command; and no length of time could make them forget the obligations which they owed to her †.

Book I. 1561. 16th July.

A ſafe paſſage to Scotland is refuſed to Mary by Elizabeth.

Mary, in the mean time, had ſent Monſieur D'Oyſel to Elizabeth, to make known her intended journey, and to ſolicit a ſafe conduct for herſelf by ſea to her own dominions, with the liberty to her ambaſſador to travel through England. The conceſſion of favours of this ſort was never doubted by Mary; but the Queen of England was not in a humour to gratify her expectations. In the audience granted to Monſieur D'Oyſel, he was informed by her, before many perſons of rank, that till the Queen of Scots ſhould confirm the conditions of the treaty of Edinburgh, no cordial friendſhip could prevail between them; and that her requeſts could not be granted. This behaviour was conſidered by Mary as a groſs indignity. Her pride and high

* See the Hiſtory of the Eſtabliſhment of the Reformation of Religion in Scotland. † Knox, p. 298. 300.

ſpirit

Book. I. 1561.

ſpirit were deeply wounded. Throgmorton, by reiterating and urging the claim of his miſtreſs, endeavoured in vain to appeaſe her. It was to no purpoſe that he exerted himſelf, to place Elizabeth's denial of the ſafe conduct in the moſt favourable light. It was to no purpoſe, that he repreſented to Mary from his ſovereign, that if the confirmation ſo often required were granted, ſhe might not only have a ſafe conduct, but that Elizabeth would be happy to ſee her paſs through her dominions, and would accommodate her with all their conveniencies and pleaſures. It was to no purpoſe, that he recommended a conference between them, as the moſt effectual means to aboliſh all unkindneſs and animoſities, and to knit them together in a true and laſting amity. Mary, yielding to her ſenſibilities, but aware that ſhe was now commencing her career of polity, commanded her attendants to retire, and addreſſed herſelf to him in very ſpirited terms.

Her diſappointment and indignation.

"How far the vivacity of my temper may "carry me I pretend not to ſay; but I am de- "termined not to have ſo many witneſſes of my "frailty as ſurrounded your miſtreſs when ſhe re- "ceived D'Oyſel my ambaſſador. Her refuſal "of a favour, which I was under no neceſſity to "demand, is, indeed, a moſt painful mortifica- "tion to me. You cannot, however, but know, "that I paſſed from Scotland into France, "notwithſtanding all the oppoſition of her bro- "ther King Edward; and I take the liberty to "inform you, that I can return to it in defiance "of all her efforts. For I am not deſtitute of "friends, who have both the power and the incli- "nation to ſerve me. By making the trial of her "amity, I meant to pay her the compliment of "letting her underſtand the high and ſuperior "value in which I held her confidence. It has

"been

" been often, Sir, in your mouth, that her cor-
" diality and mine would promote to the greateſt
" degree the proſperity of our kingdoms. Yet
" ſhe muſt judge and think in a very different
" manner, when ſhe could refuſe me ſo ſlight a
" benefit. It is perhaps for my rebellious ſub-
" jects that ſhe keeps her kindneſs; and of them,
" it appears, ſhe has a greater eſteem than of
" me, who am their ſovereign, her equal, her
" kinſwoman, and the neareſt heir of her king-
" doms. With all my claims to her favour, ſhe
" did not ſcruple to aſſiſt my ſubjects againſt me,
" when I was abſent from them; and now that I
" am a widow, ſhe would prevent me from re-
" turning to my own country. It is not eaſy for
" me to conjecture what ſhe can mean. I have
" ſtirred up no dangerous intrigues within her
" dominions; though I know that England is
" full of malcontents, who are earneſt for a re-
" volution of its government. All I have re-
" quired of her is her amity. She has been kind
" enough to reproach to me my youth and its
" inexperience; and from her ſuperiority of
" years, ſhe has, doubtleſs, a title to wiſdom
" that is preferable to mine. Yet I am of an age
" mature enough to underſtand and to practiſe
" the attentions which I owe to my relations and
" friends; and to abſtain from any purpoſe or
" deed which is unworthy of my rank. Nor do
" I exceed, Sir, the boundaries of diſcretion,
" when I tell you, that I too, as well as your
" miſtreſs, am a Queen; that my heart beats
" with as high a pulſe as her's; and that I cannot
" find out, by ſearching for it, the circumſtance,
" which upon compariſon, is to throw me from
" her to a diſtance. As to the ratification about
" which ſhe troubles herſelf, the treaty it con-
" cerns was concluded when my huſband was
" alive.

Book I. 1561. "alive. It was my duty to obey him; and that "he delayed to confirm it, is not to be aſcribed "as a fault to me. Since his death my intereſts "in the realm of France have failed; my uncles, "in a matter of ſuch delicacy, refuſe to adviſe "me; and, indeed, it is moſt fit, that I look for "counſellors in my native kingdom. When I "have conſulted my Eſtates, I ſhall be in a ca- "pacity to treat with your miſtreſs. To give "her ſatisfaction, I am even the more ſolicitous "to haſten my journey. But my journey, ſhe "endeavours to retard by obſtructions; and it is "poſſible, that ſhe does not ſeriouſly chooſe to "have any agreement with me, but is ſecretly "inclined to create occaſions of diſcord and con- "tention. I can affirm with truth, that I have "done nothing to my ſiſter, which I could de- "ſire not to be done to myſelf. I have perform- "ed to her the offices of a good kinſwoman; "but ſhe either ſuſpects my ſincerity or deſpiſes "my friendſhip; and, I fear, ſhe will leave to "me only the empty wiſh, that I were as dear "to her in affection, as I am near to her in "blood *."

The delicacy of her ſituation.

The reluctance and heſitation of Mary in a point ſo difficult as that of ratifying the treaty of Edinburgh, was extremely natural in her ſituation, and even neceſſary. By concluding this buſineſs, ſhe muſt have given a decided confirmation of thoſe tranſactions of her Proteſtant ſubjects, which led to the eſtabliſhment of the reformation; and ſhe muſt have beſtowed her expreſs approbation of the aſſiſtance which had been afforded to them by Queen Elizabeth. But, though theſe particulars were in themſelves of

* Throgmorton's Diſpatches, ap. Keith, p. 171. Cabala, 375. Camden, Life and Reign of Elizabeth, ap. Kennet, p. 386.

importance,

importance, they may be conſidered as of ſmall moment when compared with the article of the treaty, which acknowledged that the dominions of England and Ireland appertained of right to Queen Elizabeth; which debarred Mary in the preſent and in every future period from bearing the title and arms of theſe kingdoms; and which included a perpetual prohibition of her ſubjects from employing them in any manner or faſhion whatſoever. An article ſo comprehenſive, and of ſuch efficacy, could not have been ratified by Mary without the moſt certain and imminent hazard. Upon a foundation ſo ſolid, Queen Elizabeth might alter the deſtination of her kingdoms. Mary might be made to forfeit her own pretenſions to the crown of England; and ſhe might loſe it to her heirs. But even if theſe diſtant evils could have been avoided, it was not for her advantage to grant the confirmation of the treaty. Her claim to England, placed her in a condition which drew the reſpect of all the princes of Europe. In every Roman Catholic country it was deemed preferable to that of Elizabeth. It flattered all the papiſts of her own kingdom and of England. It gave them a firmneſs and union in her intereſts. Nor was ſhe leſs acceptable to her Proteſtant ſubjects for retaining this ſource of conſideration; as by founding her rights and pretenſions, ſhe had it conſtantly in her power to awaken the jealouſies of Elizabeth, and to involve her in diſtreſs. Theſe favourable circumſtances did not eſcape the penetration of the Queen of England. They were the ſpurs of her activity in urging the ratification of the treaty. It was by engaging the Queen of Scots to terminate this tranſaction, that ſhe hoped to guard effectually againſt her claims, and to hold her in fetters.

Mary

Book I.

1561. She leaves Paris.

Mary leaving Paris was accompanied to St. Germains by Charles IX. Catharine de Medicis, the king of Navarre, the duke of Anjou, and other noble perſonages. There the royal family of France bade an adieu to her, and ſhe ſet forward for Calais. At Abbeville ſhe had a new interview with Throgmorton; and, dreading that Elizabeth might atchieve ſome exploit againſt her with her fleet, ſhe employed herſelf to ſooth this ſtateſman, and to overmatch his vigilance and penetration. He was firm, however, in deſiring the ratification of the treaty; and after defending her refuſal in ſmooth language, ſhe told him, that ſhe meant herſelf to write a letter with her own hand, upon the ſubject to his miſtreſs. She even put this reſolution in practice, and took the precaution to adviſe Throgmorton to act ſuitably to the character of an ambaſſador, and to qualify and compoſe matters, rather than to aggravate them, and to foſter contentions and animoſity*. But all her endeavours were alike ineffectual: Elizabeth could not eaſily forgive the uſurpation of her arms and titles. The retaining the power of again adopting them, kept alive and exerciſed the extreme jealouſy of her nature. The high ſpirit of Mary, and the fame of her abilities, added ſtrength to the paſſions of Elizabeth, and pointed her out as a rival in the arts of government. And the prepoſterous and abſurd vanity entertained by the Queen of England of the beauty of her perſon, the gracefulneſs of her manners, and her winning accompliſhments, exaſperated all the other ſources of her reſentment againſt the Scottiſh princeſs, who in theſe reſpects was infinitely ſuperior to her.

Her voyage to Scotland.

With the ſix princes of Lorraine, her uncles, and a ſplendid retinue, Mary arrived at Calais.

* Camden, ap. Kennet, p. 387.

All

All the partialities which ſhe felt for France diſcovered themſelves, when ſhe aſcended the galley that was to carry her to Scotland. The happineſs, the grandeur, and the enjoyments of her infancy and early youth, crowded into her memory. The ſympathy and aſſiduities of her attendants augmented her dejection. While her galley made its way into the ocean, her anxious looks were directed to the ſhores ſhe had left. She cried out, "Farewel, France! Farewel, "delightful country! I leave thee never to re-"turn*!" Sighing often, ſhe fondly repeated this tender exclamation. The approach of night was no conſolation to her. She ordered her couch to be brought upon the deck, and enjoined the pilot to awaken her, if in the morning the coaſt of France ſhould be in view. A dead calm flattered her inquietudes. Her galley lingered as if to pleaſe her grief. In the morning the ſhores of that country, which had engroſſed ſo ſtrongly her affections, were ſtill to be ſeen. To theſe objects ſhe again turned her ſtreaming eyes; and while they continued to be in ſight, gave a free indulgence to her ſenſibilities and ſorrow. A favourable wind now ſprung up, and being ſucceeded by a thick fog, ſhe had the good fortune to eſcape the ſquadron of ſhips which Elizabeth had commanded to ſea to intercept her in her paſſage. The veſſel which contained the earl of Eglinton was the only one which fell into the hands of the Engliſh commander, and it was immediately releaſed. Thus, a few days after her embarkation at Calais, Mary arrived in ſafety at her port of Leith; having in company with her the duke D'Aumale, the Grand Prior of France, and the marquis D'Elbeuf, with the Sieur Dam-

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20 Auguſt.

* Brantome, ap. Addit. aux Mem. de Caſtelnau, p. 482.

Book I. ville, the heir of the houſe of Montmorency, and other perſons of diſtinction *.

1561. Her reception there, and popularity.

After repoſing herſelf for ſome hours at Leith, Mary proceeded to her palace of Holyrood houſe, amidſt the acclamations of her ſubjects, who, with unfeigned joy, welcomed her return to her antient and hereditary kingdom. Her arrival was, of all events, the moſt acceptable in a country, where the preſence of its ſovereign had for many years been unknown; which, after her marriage with the Dauphin, had almoſt loſt the hope of this advantage; and which had been dejected with the fear of deſcending from its greatneſs, and of becoming an appendage to a mightier empire. The nobility, and the perſons of higheſt conſideration, haſtened from every quarter to expreſs their congratulations to their Queen. The motives of pride and intereſt, attachment and curioſity, vanity and pleaſure, all operated with their fulleſt force. But while the ambition and the ſelfiſhneſs of ſtateſmen and courtiers drew them to her palace, and gave them agitation, men of every rank and degree felt their paſſions to awake; and the recollection of her various fortunes ſerved to heighten the ſatisfaction univerſally diffuſed by her preſence. Born in the midſt of the troubles of her country, and a Queen while yet an infant, ſhe had been expoſed to calamities before ſhe could know their bitterneſs; had paſſed the ſeas to ſeek an aſylum; had aſcended the giddieſt height of proſperity, and ſhared the throne of an illuſtrious nation; had fallen from this grandeur, to feel the more exquiſitely the pangs of misfortune; had been deprived of her mother and her huſband; and to

* Caſtelnau, ap. Jebb, p. 455. Leſly, p. 229. Thuanus, Hiſt. ſui Temp. lib. xxix.

the

the natural ſorrows which tore her heart, had the added affliction to mourn over the loſs of his kingdom, and the perilous condition of her own. Beſide theſe ſources of allurement, ſhe had other and powerful recommendations to her people; the vigour of her youth, the elegance of her form, the ripeneſs of her underſtanding, and the mildneſs of her diſpoſitions *. Book. I. 1561.

The prudence with which Mary began her adminiſtration, was well calculated to augment her popularity. In a conſultation which ſhe held with her nobles, ſhe agreed that the reformed religion ſhould continue to be the eſtabliſhment. She even expreſſed a reſolution never to alter or oppoſe the forms of that ſyſtem of worſhip. But as ſhe was a ſovereign princeſs, and had been educated from her infancy in the Romiſh faith, ſhe was allowed to celebrate the maſs privately in her own family. To her principal counſellors, who had been ſtrenuous actors in the reformation, this liberty did not appear to be a dangerous toleration. The more zealous, however, among the Proteſtants were infinitely diſſatisfied, that this mark of attention ſhould be paid to her. The religious ferments were not yet at an end. To be a Papiſt was to be a criminal of the vileſt kind. When the preparations, accordingly, were made to celebrate the maſs in her chapel of Holyrood houſe, the populace broke out into ſtrong expreſſions of diſcontent. They cried, "Shall the idol be again erected in the land?" Men of rank, over heated with zeal, encouraged theſe diſorders. The lord Lindſay, and many gentlemen of Fife, preſſing within the court of the palace, exclaimed, "The idolatrous prieſts "ſhall die the death." It was with the utmoſt difficulty, that the lord James Stuart, notwith- The violence of the Proteſtants. 24th Aug.

* Buchanan, Hiſt. Rer. Scot. lib. xvii. Spotſwood, p. 179.

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ſtanding all his credit with the people, could guard the door of the chapel; and when the maſs was ended, new tumults were excited.

Her moderation.

A proclamation was iſſued to appeaſe theſe diſcontents. The Queen by its tenor aſſured her ſubjects, that it was her earneſt deſire to eſtabliſh the public tranquillity, and to take the advice of her Eſtates in the ſettlement of all differences of religion. She commanded them, therefore, to preſerve the peace, and to wait till the Eſtates ſhould be aſſembled. And, while ſhe prohibited them from moleſting the courtiers who had accompanied her from France, and from aſſaulting the ſervants of her houſhold, ſhe gave them a ſignal proof of her moderation, by declaring it to be death for any perſon or aſſociation to attempt, openly or ſecretly, any alteration or innovation of that religion which ſhe had found to be univerſally eſtabliſhed upon her arrival in her kingdom *. This proclamation had every claim to be acceptable to her ſubjects. It diffuſed, accordingly, a great ſatisfaction. The earl of Arran alone ſhewed his diſpleaſure, and formally proteſted to her herald, that her proclamation ſhould be no protection to her attendants and ſervants, if they ſhould preſume to commit idolatry, and to ſay the maſs. In ſpite of all the guardedneſs of her behaviour, the utmoſt dread of the re-eſtabliſhment of popery ſpread itſelf over the realm. The abominations of idolatry were the favourite topics upon which the preachers declaimed. John Knox affirmed, that one maſs was more fearful to him, than if ten thouſand armed enemies had landed in any part of the kingdom to ſuppreſs the reformation †; and when called into the preſence of his ſovereign, to be

* Leſly, de Reb. geſt. Scot. ap. Jebb, p. 250. Keith, p. 505. Knox, p. 308. † Knox, p. 310.

rebuked

rebuked for his harangues and conduct, he ſpoke in his defence with ſuch determined boldneſs, as to diſconcert her purpoſe, and to fill her with diſquiet *. Even upon an occaſion of ſuch high feſtivity as her public entry into Edinburgh, which took place at this time, the people could not conceal their inveteracy againſt the antient religion. The Queen proceeded with a ſtudied pomp and parade from her palace along the ſtreets of her capital, to its caſtle, where a ſumptuous entertainment was provided for her. The demonſtrations of joy were exceſſive; and among other pageants it was contrived, that a boy, ſix years old, as if deſcending from a cloud, ſhould preſent to her the keys of this fortreſs, and repeat ſome verſes to her praiſe. But, that this fancy might not divert her too much, the boy delivered to her, at the ſame time, a bible and a pſalter; and that the meaning of this gift might be the better underſtood, the decorations with which they were ſet off, were the burning of Corah, Dathan, and Abiram, with other examples of the vengeance of heaven againſt idolatry †.

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From ſuch expreſſions of freedom, or rather of inſult, Mary, who had been accuſtomed to the flattering pageantries, and the ſuperb magnificence of the French nation, did not conceive the moſt favourable opinion of the ſpirit of her Proteſtant ſubjects, or of the general cultivation of her people. But they did not induce her to depart from the ſcheme of adminiſtration which ſhe had concerted with her friends in France. To the Proteſtants ſhe was reſolved to pay a moſt reſpectful attention; and with this view ſhe conſtituted her board of privy council. To deliberate and conclude upon all affairs of ſtate, was

She appoints a privy council.

* Knox, p. 313. † Keith, p. 189. Knox, p. 316.

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the proper buſineſs of this council, which was to conſiſt only of twelve perſons. To this diſtinction ſhe promoted the duke of Chatellerault, and the earls of Huntley, Argyle, Bothwel, Errol, Mariſhal, Athol, Morton, Montroſe, and Glencairne, with the lord James Stuart, and John lord Erſekine *. But while the weighty matters of the realm were entruſted to theſe counſellors, the Queen beſtowed the moſt favourite marks of her attachment upon the lord James Stuart. He occupied the chief place in her confidence; and his zeal in promoting the reformation, joined to his admirable talents, had rendered him the moſt popular man in the kingdom. To her courtiers of the Roman Catholic perſuaſion, ſhe behaved with a diſtant formality.

Mutual intrigues of Mary and Elizabeth.

But while it was one of Mary's objects to encourage her Proteſtant ſtateſmen, and to direct herſelf by their counſels, ſhe was alſo diſpoſed to keep at peace with England, and to avoid proceeding to any dangerous extremity with Elizabeth. Upon this account, ſhe took an early opportunity to diſpatch Maitland of Lethington, to the court of England, to make known her ſafe arrival in her native dominions, to expreſs the extreme kindneſs which ſhe bore to her kinſwoman, and to urge the earneſt reſolution ſhe had conceived to cultivate her friendſhip. Her nobility, at the ſame time, intimated a hearty deſire of the laſting connexion of the two kingdoms. And as the ſureſt method of effecting this ſalutary purpoſe, Maitland was inſtructed to propoſe to Elizabeth, a parliamentary declaration of the Queen of Scots to be her heir in the event of the failure of children of her own body †. The Queen of England was not wanting in complimentary ex-

* Knox, p. 315. Keith, p. 189. † Camden, p. 387. Keith, p. 185.

preſſions any more than Mary. To give a colour to the ſquadron of ſhips which ſhe had ſent to ſea to intercept the Queen of Scots, it was ſounded abroad by her miniſters, with a ſuſpicious ſolicitude, that its only intention was to give chace to pirates; and, by letters from Elizabeth herſelf, Mary was warmly congratulated upon her return to her kingdom. The negociation, however, opened by Maitland, made no advances. Inſtead of his propoſal, ſhe told him, that ſhe had expected the ratification of the treaty of Edinburgh. She even conſidered the declaration of Mary to be the ſucceſſor of her kingdoms, as a moſt dangerous meaſure. It might diſſolve, ſhe ſaid, all underſtanding between them, but could never faſten them in a cordial alliance. The ſucceſſors of princes never fail to excite their ſuſpicions; the people, always light and variable, are led aſtray by novelties, and ready to court the riſing, and to forſake the ſetting ſun; and the declared heirs of opulent States find it difficult or impoſſible, either to bear down their own ambition, or to confine the hopes of their partizans within the bounds of propriety and reaſon. Hence ſhe conceived, that to ſettle her crown in reverſion upon the Queen of Scots, was to deſtroy her beſt ſecurity to it; "and not "only to prepare her winding ſheet, but even to "dig her own grave in her life time*." BOOK I. 1561.

Though Randolph, the reſident of Elizabeth in the court of Scotland, had before this period, been inſtructed to ſolicit the ratification of the treaty of Edinburgh; yet her diſcontent with Maitland's negociation was ſo great, that ſhe now commanded Sir Peter Mewtas to go to the Queen of Scots with a new and more urgent

* Spotſwood, p. 180. Camden, p. 387. Keith, p. 185.

Book I. meſſage, upon the ſame errand. The more ſtrenuouſly, however, that the ratification was urged upon the one ſide, there appeared the greater hazard in complying with it upon the other. The infallible conſequence of acceding to the treaty, was an entire renunciation of Mary's titles to the crown of England. To meet ſo imminent a danger, to throw herſelf over ſo threatening a precipice, would have argued the utmoſt height of diſtraction. But by mutual conceſſions there was a poſſibility to bring the buſineſs to a concluſion. To defeat all pretenſions to her kingdoms during her own life, and to tranſmit an indiſputed title to her heirs, was a great acquiſition to the Engliſh Queen. To retain her pretenſions to England, and to obtain a ſecurity for them to herſelf and her poſterity upon the death of Elizabeth, and her failure of iſſue, was an acquiſition not leſs great to the Queen of Scots. If Mary, therefore, ſhould execute a ratification of the treaty, and if Elizabeth ſhould accept it under the burden and reſervation of her natural and eventual rights, a happy period might be put to their diſpute. Maitland, who was anxious to gratify both Queens, ſtarted this reaſonable compromiſe; and in his letters to Cecil, he preſſed it with every argument in his power. He even prevailed with his Queen to enter keenly into his views; and, as a laſt effort to purchaſe the amity of England, ſhe addreſſed Elizabeth by letter, ſtating and enforcing this expedient to ſecure their cordiality and affection. Upon the condition, that ſhe ſhould not loſe the intereſt and claims ſhe poſſeſſed from her lineage and blood, ſhe declared her readineſs to ratify the treaty in the moſt expreſs terms; or, with this limitation, to enter into a new one, renouncing formally all title to the crown of England, while

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Elizabeth

Elizabeth continued to be in life, or while there should exiſt any lawful heirs of her body to take upon them the ſucceſſion. Finally to adjuſt this buſineſs and to tear up all diſſenſion by the roots, ſhe agreed to treat by commiſſioners; or, laying aſide the embarraſſing and tedious formalities of mediators and ſtateſmen, ſhe was willing that they might hold a perſonal interview, and mutually exchanging their ſentiments, conſult with frankneſs and candour the proſperity of their kingdoms *. But theſe propoſals, though more favourable to Elizabeth than to Mary, as the former received a preſent and certain advantage, and the latter procured only the proſpect of a future and eventual benefit, could not be carried into execution. It had been the object of Elizabeth to ſeduce or frighten Mary into the acceptance of diſadvantageous terms. In this ſhe was diſappointed. To reject, however, with avowed ſcorn the overtures of the Scottiſh Queen, was indecent; and it was difficult and invidious to object to them. The only part left to Elizabeth was therefore to drop all farther negociations about the treaty. Her delicacy in what concerned her title to the crown was exceſſive even to abſurdity; and ſhe could not prevail upon herſelf to eſteem Mary either as a Queen or as a woman. She was contented to remain in obſtinacy and indeciſion, refuſing to heal a dangerous wound, and diſdaining to accept a permanent emolument. The littleneſs of her paſſions overpowering her judgment, great as it was, ſhe permitted the treaty to continue unratified; and, keeping alive the ambiguities of her title, ſuffered her prejudices againſt the Queen of Scots to rankle into hatred, to diſturb her enjoyments with

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* Haynes, p. 373. 375. 377. 379.

fear,

Book I. fear, and to make her brood in ſecret over her jealouſies.

1561. The zeal of the people againſt popery. While theſe intrigues were in agitation, Mary amuſed herſelf by making a circuit through a part of her dominions. She proceeded to Stirling, and from thence to Perth, Dundee, and St. Andrews. In all theſe towns, amidſt the triumph with which ſhe was received, ſhe could not but remark the rooted averſion which every where had taken place againſt popery; and upon her return to Edinburgh, her attention was called to an inſtance of this zeal, which may be conſidered as highly characteriſtic of the times. The magiſtrates of this city, after their election, enacted rules, according to cuſtom, for the government of their borough. By one of theſe acts, which they publiſhed by proclamation, they commanded all monks, friars, and prieſts, together with all adulterers and fornicators, to depart from the town and its limits within twenty four hours, under the pains of correction and puniſhment. Mary, interpreting with juſtice this exertion of power to be an uſurpation of the royal authority, and a violation of order, diſplaced the magiſtrates, commanded the citizens to elect others in their room, and granted by proclamation a plenary indulgence to all her ſubjects not convicted of any crime, to repair to and remain in her capital at their pleaſure *. From the diſorderly lives of the Romiſh clergy, which were a powerful cauſe of the reformation, it had proceeded, that popery and a vitious deportment were connected together as inſeparable; and this wild aſſociation of ideas, had contributed in no common degree to induce the reformers and the earlier Proteſtants to diſtinguiſh themſelves by extravagant auſteri-

* Keith, p. 192. Spotſwood, p. 183. Haynes, p. 272.

ties,

ties, and unnatural affectations of ſanctity. Hence aroſe that ardour of zeal which was ſo eagerly diſplayed upon the moſt trifling occaſions; and hence there proceeded thoſe habits of malevolence, and that uncharitable ſpirit which diſgraced ſo foully many pious men in the reigns of Mary and her immediate ſucceſſors. Book I. 1561.

Precautions of order and juſtice.

The recent ſtruggles of the Proteſtants had produced ſo great a ferment in their minds, that the moſt unbounded acquiſition of their views, could not have reſtored them to calmneſs of temper. The eſtabliſhment of the reformation did not preclude the poſſibility of future dangers to civil liberty, or to the reformed religion. The Roman Catholic faction was ſtill ſufficiently important to keep alive their fears and apprehenſions. It was under the influence of wiſe precautions and the ſlow operations of time, that a check was to be expected to the inordinacy of their zeal, and that they were to be allured to make the proper improvement of the mild doctrines of chriſtianity. But an evil of more urgent neceſſity, and which required an inſtant correction, had been engendered during the turbulent and unfortunate regency of Mary of Lorraine, the Queen's mother. A proneneſs to inſurrection and tumult prevailed throughout every quarter of the kingdom. Thefts, rapine, and licentiouſneſs of every kind diſfigured ſociety, and threatened to put to defiance the reſtraints of law and the power of the magiſtrate. In this ſituation, a vigorous adminiſtration could alone ſupport the dignity of the crown, and afford protection to the rights of the people. Mary, with the advice of her privy council, made preparations upon this occaſion, which from their magnitude, excite ſurprize on a ſuperficial view, and ſeem to indicate an imperfection of government,

that

Book I. 1561. that was not natural to a country which had known ſo long the advantages and ſecurity of a regular conſtitution. This ſurprize, however, ceaſes, when going more deeply into the matter, it is perceived, that the forms and ſpirit of the feudal laws which ſtill maintained their vigour in Scotland, neceſſarily produced the expedient, and directed to the plans, which ſhe embraced and executed.

In the feudal times, the offices of a civil judge and a military commander were uſually united. Upon the preſent occaſion the Queen advanced the lord James Stuart to be chief juſticier and lord lieutenant. He was to hold two criminal courts; the one at Jedburgh, the other at Dumfries. To aſſiſt his operations againſt banditti who were armed, and often aſſociated into bodies, a military force was expedient; and in this age the advantages of a ſtanding army, or of regular troops in the pay of the ſovereign, were unknown. The county therefore of Edinburgh, and ten other counties, were commanded to have their ſtrength in readineſs to obey him. The feudal tenants and the allodial or free proprietors of theſe diſtricts, in complete armour, with proviſions for twenty days, were to be ſubſervient to the purpoſes of his commiſſion, and to act to his order in eſtabliſhing the public tranquillity. His ſucceſs correſponded with his abilities. He deſtroyed many ſtrong places to which the banditti reſorted for protection. He hanged twenty of the moſt notorious offenders; and he ordered fifty more to be carried to Edinburgh, to excite there the terrors of juſtice. He entered into meaſures with the lord Grey and Sir John Foſter, the wardens of the Engliſh borders, for the mutual benefit of the two nations; and he commanded the Chiefs of the diſorderly clans to conſult

ſult with the Queen, and to know her pleaſure with regard to the precautions which might be requiſite to ſecure the peace, and to prevent future inſurrections and depredation *. Book I. 1561.

The abſence of the lord James Stuart in the execution of his commiſſion, gave ſome encouragement to the Papiſts. The archbiſhop of St. Andrews, and the biſhops of Dumblane and Cathneſs, with other ſtrenuous catholics haſtened to Edinburgh. John Leſly, who had acted as the Popiſh agent in France, was already there; and he had been advanced to be a member of the privy council. In the attachment of Mary to her religion, which at all times was great, they placed a flattering hope. But from the advances ſhe had made to Elizabeth, and from her confidence in the Lord James Stuart and in Maitland of Lethington, they had lively apprehenſions that ſhe would be induced to renounce the maſs. To Monſieur de Fois, the French ambaſſador, they communicated their fears; and he was called by them to attend to the intereſt of his nation. The Proteſtants, on the other hand, could not by any means be ſatisfied with a Queen, who was ſecretly an enemy to their religion. John Knox had entertained ſuſpicions of her ſincerity from the moment of her arrival. It was his conſtant theme, that ſhe had a proud mind, a crafty wit, and an indurate heart againſt the truth. His influence was extenſive, and his ſucceſs was anſwerable to his influence. The people began openly to entertain doubts, whether they were bound to pay any civil or political obedience to an idolater. Inferior preachers adopting the ſentiments and language of this reformer, circulated them over the kingdom, and kept up and

Diſcontents of the Papiſts and Proteſtants.

* Keith, 198, 199, 204, 205.

increaſed

Book I. increaſed the ferments and diſſatisfactions of her ſubjects *.

1561. The unſettled ſtate of the nobility. But Mary, while ſhe perceived many ſymptoms of a turbulent reign, in the violence of the contending factions, felt alſo a moſt painful inquietude from the wild and eccentric condition of her nobles. The duke of Chatellerault had forſaken the party and the purpoſes of the Queen Dowager, to eſpouſe thoſe of the reformation. Mary could not eaſily forget this defection, and was not diſpoſed to entruſt him with any power. Diſcontented from neglect, and apprehenſive of the ruin of his Houſe, he had already fortified the caſtle of Dumbarton, which he held by a precarious title †; and, in the event of urgent and alarming dangers, he had reſolved to defend himſelf there, and to court the protection of the Queen of England. The earl of Arran had a ſtout heart, a warm imagination, and a contracted underſtanding. His ambition was far beyond his abilities; and the low avarice of the duke his father, left him without any ſolid ſtrength, or even the common trappings of greatneſs. The attractions of Mary had made a deep impreſſion in his heart; and his aſpiring views induced him to fancy himſelf the moſt proper perſon to ſhare the honours of her throne. But ſhe was diſguſted againſt him in no common degree, from the exceptions ſhe had taken to his family, from his own imbecillity, which was exceſſive, and from

* Knox, p. 315. Keith, p. 197—202.

† Randolph writes in this manner to Sir William Cecil, "I enquired of the duke what right he had to have Dumbarton caſtle? or pretence to refuſe the delivery, if it were demanded? He anſwered me, that his right was none; but that he took it from the earl of Lennox, and that he had a promiſe by mouth made unto him, by this Queen's mother, to have it in farm for nineteen years." Keith, p. 202.

the

the rude violence with which he had oppoſed the maſs. He bore her diſlike with an uneaſineſs that preyed upon his intellects and diſordered them. It was even ſuppoſed, that he had concerted a ſcheme to poſſeſs himſelf of her perſon by armed retainers; and the lords of her court were commanded to be in readineſs to defeat any project of this ſort. The earl of Bothwel was diſtinguiſhed chiefly by his prodigalities, and the licentiouſneſs of his manners. The earl of Mariſhal had every thing that was honourable in his intentions, but was over wary and ſlow. The earl of Morton poſſeſſed penetration and ability, but was attached to no party or meaſures from any principles of rectitude. His own advantage and intereſts were the motives which governed him. The earl of Huntley, the lord chancellor, was unquiet, variable, and vindictive. His paſſions, now fermenting with violence, were ſoon to break forth in the moſt dangerous practices. The earls of Glencairne and Menteith were deeply tinctured with fanaticiſm; and their inordinate zeal for the new opinions, not leſs than their poverty, recommended them to Queen Elizabeth. Her ambaſſador Randolph, adviſed her to ſecure their ſervice, by addreſſing herſelf to their neceſſities. Among courtiers of this deſcription, it was difficult for Mary to make a ſelection of miniſters in whom to confide. The conſequence and popularity of the lord James Stuart, and of Maitland of Lethington, had early pointed them out to this diſtinction; and, hitherto, they had acted to her ſatisfaction. They were each of eminent capacity; but the former was ſuſpected of aiming at the ſovereignty; the latter was prone to refinement and duplicity; and both were more connected with Elizabeth than became them,

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Book I. them, as the miniſters and ſubjects of another prince *.

1561. Beſide the policy of employing and truſting ſtateſmen who were proteſtants, and the precaution of maintaining a firm peace with England, Mary had it alſo at heart to enrich the crown with the revenues of the antient church. A convention of Eſtates was aſſembled to deliberate upon this meaſure. The biſhops and eſtate eccleſiaſtical were alarmed with their perillous ſituation. It was made known to them, that the charge of the Queen's houſhold required an augmentation, and that as the rents of the church had flowed chiefly from the crown, it was expedient that a proper proportion of them ſhould now be reſumed to uphold it's ſplendour. After long conſultations the prelates and eſtate eccleſiaſtical, conſidering that they exiſted merely by the favour of the Queen, conſented to reſign to her the third part of their benefices, to be managed at her pleaſure; with the reſervation that they ſhould be ſecured, during their lives, againſt all farther payments, and relieved from the burden of contributing to the maintenance of the reformed clergy. With this offer the Queen and the convention of Eſtates were ſatisfied. Rentals, accordingly, of all their benefices throughout the kingdom were ordered to be produced by the antient eccleſiaſtics; the reformed miniſters, ſuperintendants, elders, and deacons, were enjoined to make out regiſters of the grants or proviſions neceſſary to ſupport their eſtabliſhment; and a ſupereminent power in judging in theſe matters, was committed to the Queen and the privy counſel †.

A ſcheme to augment the revenues of the crown, and to give a proviſion to the Reformed Clergy.

* Randolph's Diſpatches, ap. Keith, p. 189. 191. 196. 201, 202. 207, 208, 209.

† Buchanan, Hiſt. Rer. Scot. lib. xvii. Spotſwood, p. 183. Keith, Appendix, p. 175, 176.

While

While the prelates and eſtate eccleſiaſtical ſubmitted to this offer from the neceſſity of their affairs, it was by no means acceptable to the reformed clergy, who, at this time, were holding an aſſembly. It was their earneſt wiſh to effect the entire deſtruction of the antient eſtabliſhment; to ſucceed to a large proportion of their emoluments; and to be altogether independent of the crown. But while the proteſtant preachers were naturally and unanimouſly of theſe ſentiments, the nobles and gentlemen, who had promoted the reformation, were diſpoſed to think very differently. To give too much of the wealth of the church to the reformed clergy, was to inveſt them with a dangerous power. To give too great a proportion of it to the crown, was a ſtep ſtill more dangerous. Civil liberty, and the balance of the political powers, were to ſuffer in both caſes. It was prudent to conſult the nature of the conſtitution, and to preſerve that check by which its component parts controul one another, and act in the production of order and freedom. At the ſame time it was equitable, that the antient clergy ſhould be maintained during their lives; and it conſiſted with the private intereſts of the noblemen and gentlemen, who had figured during the reformation, not to conſent to any ſcheme that would deprive them of the ſpoils of which they had already poſſeſſed themſelves out of the ruins of the church, or which they might ſtill be enabled to acquire.

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Thus public as well as private conſiderations, contributed to ſeparate and divide the lay proteſtants and the preachers. The general aſſembly, therefore, of the church, was not by any means ſucceſsful in the views which had called them together at this time, and which they ſubmitted to the convention of Eſtates. Doubts were entertained,

Book I. 1561. tertained, whether the church had any title to aſſemble itſelf. The petition preferred for the complete abolition of idolatry, or for the utter prohibition of the maſs, was rejected, notwithſtanding all the zeal manifeſted by the brethren. The requeſt that Mary ſhould give authority to the book of diſcipline was not only refuſed, but even treated with ridicule. The only point preſſed by the church, which attracted any notice, was its requiſition of a proviſion or a maintenance; but the meaſure invented for this end, was in oppoſition to all its warmeſt deſires *.

This meaſure, however, ſo unpromiſing to the preachers in expectation, was found to be infinitely more unſatisfactory upon trial. The wealth of the Romiſh church had been immenſe, but great invaſions had been made upon it. The fears of the eccleſiaſtics, upon the overthrow of popery, induced them to engage in fraudulent tranſactions with their kinſmen and relations, in conſequence of which many poſſeſſions were conveyed from the church into private hands. For valuable conſiderations, leaſes of church lands, to endure for many years, or in perpetuity, were granted to ſtrangers and adventurers. Sales alſo of eccleſiaſtical property, to a great extent, had been made by the antient incumbents; and a validity was ſuppoſed to be given to theſe tranſactions by confirmations from the pope, who was zealous to aſſiſt his votaries †. Even the crown itſelf, had contributed to make improper diſpoſitions of the eccleſiaſtical revenues. Laymen had been preſented to biſhopricks and church livings, with the power of diſpoſing of the territory in connexion with them. In this diffuſion of the property of the church, many fair acqui-

* Knox, p. 318, 319. † Keith, p. 507.

ſitions

ſitions and much extenſive domain came to be inveſted in the nobles and the gentry.

From theſe cauſes, the grant of the third of their benefices, made by the antient eccleſiaſtics to the Queen, with the burden of maintaining the reformed clergy, was not near ſo conſiderable as might have been expected. But the direction of the ſcheme being lodged in the Queen and the privy council, the advantage to the crown was ſtill greater than that beſtowed upon the preachers. Yet the carrying the project into execution, was not without its inconveniencies. There were ſtill many opportunities for artifices and corruption; and the full third of the eccleſiaſtical benefices, even after all the previous abſtractions of them which had been made, could not be levied by any diligence. For the eccleſiaſtics often produced falſe rentals of their benefices, and the collectors for the crown were not always faithful to the truſt repoſed in them. The complete produce of the thirds did not amount to a great ſum; and it was to operate to the expences of the Queen, as well as to the ſupport of the preachers. A ſcanty proportion went to the latter; and yet the perſons who were choſen to fix and aſcertain their particular ſtipends or proviſions, were the faſt friends of the reformation. For this buſineſs was committed in charge to the earls of Argyle and Morton, the lord James Stuart and Maitland of Lethington, with James Mackgill the clerk regiſter, and Sir John Ballenden the juſtice clerk. One hundred Scottiſh marks was deemed ſufficient for a common miniſter. To the clergymen of greater intereſt or conſideration, or who exerciſed their functions in more extenſive pariſhes, three hundred marks were allotted; and excepting to ſuperintendants, this ſum was ſeldom exceeded.

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To the earl of Argyle, to the lord James Stuart, and to lord Erſkine, who had large eccleſiaſtical revenues, their thirds were uſually remitted by the Queen; and upon the eſtabliſhment of this fund or revenue, ſhe alſo granted many penſions to perſons about her court, and of her houſehold *.

The diſſatisfaction of the preachers. Their turbulent ſpirit.

The complaints of the preachers were made with little decency, and did not contribute to better their condition. The coldneſs of the Proteſtant laity, and the humanity ſhewn to the antient clergy, were deep wounds both to their pride and to their intereſts. To a mean ſpirit of flattery to the reigning power, they imputed the defection of their friends; and againſt the Queen they were animated with the bittereſt animoſity. The poverty in which they were ſuffered to remain, inflamed all their paſſions. They induſtriouſly ſought to indulge their rancour and turbulence; and inveterate habits of inſult fortified them into a contempt of authority. It was about this period that an accident happened, which though trivial in itſelf, ſerved to employ their zeal, and to afford them an opportunity of declaiming againſt the Queen and the Court. The marquis D'Elbeuf with the earl of Bothwel, and lord John of Coldinghame, being diſpoſed to gallantry, paid a viſit to a courtezan called Aliſon Craig. The courteſy of their firſt reception induced them to think of a ſecond viſit. But contrary to their expectation, they were refuſed admittance; and being heated with wine, they demoliſhed the doors of her houſe, broke its windows, and committed other acts of outrage. "The horrors of this fact, ſays Knox, and the ve-"rity of it, highly commoved all godly hearts †."

* Knox, p. 325. Keith, Appendix, p. 180. 188. † P. 327.

The

The clergy assembled to take the matter into their consideration, and sent a remonstrance to the Queen and the privy council, insisting upon the punishment of the offenders. They represented the trespass as a deed most vile and rare, as an impiety most heinous and horrible, as a crime so atrocious, that it might provoke the vengeance of the Almighty against the whole kingdom, and as a villainy so dangerous and public, that it called for the keenest rigour of the laws *. The Queen receiving this insolent and peevish remonstrance with great prudence, returned for answer to the preachers, that her uncle the marquis D'Elbeuf was a stranger, and had been attended by a young company; but that she would rebuke him with severity, and take measures to prevent such riots in the future †. This moderation, however, was far from satisfying the preachers. They held their petition to be rejected; and exclaimed, that the profligate manners of the court of France had extinguished in the mind of their sovereign all indignation against the vice for which they had expressed their displeasure. Yet what is remarkable, Alison Craig, the subject of all this disturbance, was the acknowledged mistress of the earl of Arran; and they permitted him openly and without challenge; to continue with her in criminal habits. It even seems, upon the present occasion, to have exasperated their passions, that an interruption should have been given to the amorous dalliance of this enemy of the mass ‡.

The promotion of the lord James Stuart.

To the Queen, whose temper was warm, the rudeness of the preachers was a painful and endless inquietude, which while it fostered her religious prejudices, had the good effect to confirm

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* Knox, p. 326. † Keith, p. 210. 510. ‡ Knox, p. 327.

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her conſtancy to her friends, and to keep alive her gratitude for their activity. The lord James Stuart, who was intitled to her reſpect and eſteem from his abilities, and his proximity to her in blood, had merited rewards and honours by his public ſervices, and the vigour of his counſels. After his ſucceſsful diſcharge of her commiſſion as chief juſticier and lord lieutenant, ſhe could not think of letting him deſcend from theſe offices, without beſtowing upon him a ſolid and permanent mark of her favour. She advanced him into the rank of her nobility, by conferring upon him the earldom of Marre. At the ſame time, ſhe contributed to augment his conſequence by facilitating his marriage with Agnes the daughter of the earl of Mariſhal; and the ceremonial of this alliance was celebrated with a magnificence and oſtentation ſo extravagant in that age, as to excite the fears of the preachers, leſt any avenging judgment or calamity ſhould afflict the land. They exclaimed with virulence againſt his riotous feaſting and banquets; and the maſquerades, which were exhibited upon this occaſion, attracting in a ſtill greater degree their attention, as being a ſpecies of entertainment hitherto unknown in Scotland, and which was favourable to the profaneneſs of gallantry, they pointed againſt them the keeneſt ſtrokes of their cenſure and indignation *.

February.

Jealouſies among the nobles.

The abilities of the earl of Marre, the aſcendency he maintained in the councils of his ſovereign, and the diſtinctions which he had acquired, did not fail to expoſe him to uncommon envy. The Scottiſh nobility were, in general, factious, ambitious, and intereſted. He was an object to them of reſtleſs jealouſy and atrocious hatred.

* Knox, p. 327.

The

The age was turbulent; violent actions were common; and men of rank were not aſhamed to yield ſo criminally to their paſſions, as to employ aſſaſſination and the dagger. The moſt deſperate of his enemies, and the moſt formidable, was the earl of Huntley. In their rivalſhip for power many cauſes of diſguſt had ariſen. The one was at the head of the Proteſtants; the other was the leader of the Papiſts. Upon the death of Francis II. Huntley and the popiſh faction had ſent a deputation to Mary, inviting her to return to Scotland, and offering to ſupport her with an army of twenty thouſand men. His advances were treated with attention and civility, but his offer was rejected. The invitation of the Proteſtants, preſented by the earl of Marre, was more acceptable to her. Huntley had adviſed her to detain his rival in confinement in France, till the Roman Catholic religion ſhould be re-eſtabliſhed in Scotland. This advice ſhe not only diſregarded, but careſſed his enemy with particular civilities *. Upon her arrival in her own country, Huntley renewed his advances, offering to her to ſet up the maſs in all the northern counties. He even converſed in a preſſing manner upon this ſubject with her uncles and the French courtiers who attended her †. Still no real attention was paid to him. He came to her palace, and was received only with reſpect. He was lord high chancellor without influence, and a privy counſellor without truſt. The earl of Marre had the confidence of his ſovereign, and was drawing to him the authority of government. Theſe were cruel mortifications to a man of high rank, inordinate ambition, immenſe wealth, and who commanded

The earl of Huntley meditates the ruin of the earl of Marre.

* Leſly de Reb. Geſt. Scot. ap. Jebb, p. 227. Keith, p. 164.

† Spotſwood, p. 179.

 numerous

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numerous and warlike retainers. But he was yet to feel a ſtroke ſtill more ſeverely excruciating, and far more deſtructive of his conſequence. The opulent eſtate of Marre, which Mary had erected into an earldom and conferred upon his rival, had been lodged in his family for ſome time. He conſidered it as his property, and that it was never to be torn from his Houſe. This blow was at once to inſult moſt ſenſibly his pride, and to cut moſt fatally the ſinews of his greatneſs. His enemy by an exquiſite refinement of cruelty, enriched and ennobled himſelf from his poſſeſſions and territories. He conceived, that he was not only doomed to deſtruction; but that the fall of his name and family was approaching. Every angry and unhappy paſſion that could ſhake his ſoul was agitated. His ſleeping and his waking thoughts breathed hoſtility and revenge.

His projects and misfortunes.

After employing againſt the earl of Marre thoſe arts of detraction and calumny which are ſo common in courts, he drew up and ſubſcribed a formal memorial, in which he accuſed him of aiming at the ſovereignty of Scotland. This paper he preſented to the Queen; but the arguments with which he ſupported his charge being weak and inconcluſive, ſhe was the more confirmed in her attachment to her miniſter. Huntley then addreſſing himſelf to the earl of Bothwel, a man diſpoſed to deſperate courſes, engaged him to attempt to involve the earl of Marre and the Houſe of Hamilton in open and violent contention. Bothwel repreſented to Marre the enmity which had long ſubſiſted between him and the Houſe of Hamilton. It was an obſtacle to his greatneſs; and while its deſtruction might raiſe him to the higheſt pinnacle of power, it would be moſt acceptable to the Queen; who, beſide the hatred which princes naturally entertain to their

their ſucceſſors, was animated by particular cauſes of offence againſt the duke of Chatelerault and the earl of Arran. He concluded his exhortation with making an unlimited offer of his moſt ſtrenuous ſervices in the execution of this flagitious enterprize. The earl of Marre, however, abhorring the baſeneſs of the project, ſuſpicious of the ſincerity of the propoſer, or ſatisfied that his eminence did not require the aid of ſuch arts, rejected all his advances. Bothwel, diſappointed upon one ſide, turned himſelf to the other. He practiſed with the Houſe of Hamilton to aſſaſſinate the earl of Marre, whom they conſidered as their greateſt enemy. The buſineſs, he ſaid, might be performed with eaſe and expedition. The Queen was in uſe to hunt the deer in the park of Falkland; and there the earl of Marre, unſuſpecting any danger, and ſlenderly attended, might be overpowered, and put to death. The perſon of the Queen, at the ſame time, might be ſeized, and by detaining her in cuſtody, a ſanction and ſecurity might be given to their crime. The integrity of the earl of Arran revolting againſt this conſpiracy, defeated its purpoſes. Dreading the perpetration of ſo cruel an action, and yet ſenſible of the reſolute determination of his friends, he wrote privately to the earl of Marre, informing him of his danger. But the return of Marre to his letter, thanking him for his intelligence, being intercepted by the conſpirators, he was confined by them under a guard in Kenneil Houſe. He effected, notwithſtanding, his eſcape, and made a full diſcovery of the plot to the Queen. Yet in a matter ſo dark, he could produce no witneſſes, and no written vouchers to confirm his accuſations. He therefore, according to the faſhion of the times, offered to prove his information by engaging

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Book I. 1562. engaging Bothwel in ſingle combat. And though in his examinations before the privy council, his love to the Queen, his attachment to the earl of Marre, the atrocity of the ſcheme he revealed, and above all his duty and concern for his father, threw him into a perturbation of mind which expreſſed itſelf violently in his ſpeech, his countenance, and his actions; yet his declarations, in general, were ſo conſiſtent and firm, that it was thought adviſable to take the command of the caſtle of Dumbarton from the duke of Chatellerault, to confine the other conſpirators to different priſons, and to wait the farther diſcoveries which might be made by accident and time *.

The earl of Huntley, inflamed by theſe diſappointments, invented other devices. He excited a tumult while the Queen and the earl of Marre were at St. Andrews with only a few attendants; imagining that the latter would ſally forth to quell the inſurgents, and that a convenient opportunity would thus be afforded for putting him to the ſword without detection. The caution, however, of the earl of Marre, defeating this purpoſe, he ordered ſome of his retainers to attack him in the evening when he ſhould leave the Queen; but theſe aſſaſſins being ſurprized in their ſtation, Huntley affected to excuſe their being in arms in a ſuſpicious place and at a late hour, by frivolous apologies, which, though admitted, could not be approved †.

About this period too, letters were received by Mary from the Pope and the cardinal of Lorraine, in conſequence of the intrigues of the earl of Huntley, and the Roman Catholic faction. They preſſed her to conſider, that while this

* Buchanan Hiſt. Rer. Scot. lib. xvii. Spotſwood, p. 184.
† Spotſwood, p. 185.

nobleman

nobleman was the moſt powerful of her ſubjects, he was by far the moſt zealous in the intereſts of the church of Rome. They intreated her to flatter him with the hope of her marriage with Sir John Gordon his ſecond ſon; held out to her magnificent promiſes of money and military ſupplies, if ſhe would ſet herſelf ſeriouſly to recover to power and ſplendour the antient religion of her country; and recommended it to her to take meaſures to deſtroy the more ſtrenuous Proteſtants about her court, of whom a roll was tranſmitted to her, which included the name of her confident and miniſter the earl of Marre. Theſe letters could not have reached her at a juncture more unfavourable for their ſucceſs. The earl of Marre, to whom ſhe communicated them, was encouraged to proceed with the greateſt vigour in undermining the deſigns and importance of his enemies *. Book I. 1562.

New incidents exaſperated the animoſities of the enemies of the earl of Marre, and his own. Sir John Gordon and lord Ogilvie having a private diſpute, happened to meet each other in the high ſtreet of Edinburgh. They immediately drew their ſwords; and lord Ogilvie receiving a very dangerous wound, Sir John Gordon was committed to priſon by the magiſtrates. The Queen at this time in Stirling, was informed by them of the riot; and while they expreſſed a fear leſt the friends of the priſoner ſhould riſe up in arms to give him his liberty, they mentioned a ſuſpicion which prevailed, that the partizans of lord Ogilvie were to aſſemble themſelves to vindicate his quarrel. The Queen, in her reply, after commending their diligence, inſtructed them to continue to have a watch over their pri- 24 June.

* Buchanan, Hiſt. Rer. Scot. lib. xvii. Thuanus, Hiſt. ſui Temp. lib. xxix.

ſoner,

Book I. ſoner, made known her deſire that the law ſhould take its courſe, and counſelled them to have no
1562. apprehenſions of the kindred of the parties at variance, but to rely upon the earl of Marre for providing a ſufficient force for their protection. Sir John Gordon, however, found the means to break from his confinement; and flying into Aberdeenſhire, filled the retainers of his family with his complaints, and added to the diſquiets of his father the earl of Huntley *.

30 July. The Queen, upon returning to Edinburgh, held a conſultation upon affairs of ſtate with her privy council; and ſoon after, ſet upon a progreſs to the northern parts of her kingdom. At Aberdeen ſhe was met by the lady Huntley, a woman of deep diſſimulation, and of refined addreſs; who endeavoured to conciliate her affections, was prodigal of flattery, expreſſed her zeal for the Popiſh religion, and let fall inſinuations of the great power of her huſband. She then interceded with the Queen for forgiveneſs to her ſon, and begged with a keen importunity, that he might be permitted to have the honour to kiſs her hand. But Mary having told her, that the favour ſhe had ſolicited, could not poſſibly be granted, till her ſon ſhould return to the priſon from which he had eſcaped, and ſubmit to the juſtice of his country; the lady Huntley engaged, that he ſhould enter again into cuſtody, and only intreated, that inſtead of being confined at Edinburgh, he ſhould be conducted to the caſtle of Stirling. This requeſt was complied with; and in the proſecution
Auguſt. of the buſineſs, a court of juſticiary being called, Sir John Gordon made his appearance, and acknowledged himſelf to be the Queen's priſoner. The lord Glamis was appointed to conduct him

* Crawfurd, Peerage of Scotland, p. 143. Knox, p. 341.

to

to the caſtle of Stirling. But upon the road to this fortreſs, being tortured with ſuſpicions, or receiving a private meſſage from the earl of Huntley, or acting with his friends upon a concerted plan to amuſe the Queen by a pretended ſubmiſſion, he deceived the vigilance of his guards, haſtened back upon his ſteps, and, gathering a thouſand horſemen among his retainers, entruſted his ſecurity to the ſword *. Book I. 1562.

In the mean time, the Queen continued her progreſs. The earl of Huntley joined himſelf to her train. His anxiety to induce her to allow him to attend her to his houſe of Strathbogy was uncommon: his entreaties were even preſſed beyond the bounds of propriety. The intelligence arrived of the eſcape and rebellion of Sir John Gordon. The behaviour of the father and the ſon awakened in her the moſt alarming ſuſpicions. Aſſembling her privy council, who, according to the faſhion of thoſe times, conſtituted her court, and attended her perſon in her progreſſes through her dominions; ſhe, with their advice, commanded her heralds to charge Sir John Gordon and his adherents to return to their allegiance, and to ſurrender up to her their houſes of ſtrength and caſtles, under the pains of high treaſon and forfeiture †. Diſdaining now to go to the houſe of the earl of Huntley, where, as it afterwards appeared, that nobleman had made ſecret preparations to hold her in captivity ‡, ſhe advanced to Inverneſs by a different rout. In the caſtle of Inverneſs ſhe propoſed to take up her reſidence; but Alexander Gordon, the deputy-governor, a dependant of the family of Huntley, refuſed to admit her. She was terrified with the proſpect of a certain and imminent danger. Her 10 September.

* Spotſwood, p. 186. Crawfurd, Lives of the officers of State, p. 86. † Keith, p. 227. ‡ Knox, p. 347.

attendants

Book I. attendants were few in number, the town was without walls, and the inhabitants were ſuſpected. In this extremity, ſome ſhips in the river were kept in readineſs as a laſt refuge; and ſhe iſſued a proclamation, commanding all her loyal ſubjects in thoſe parts immediately to repair to her for her protection. The Fraſers and Monroes came in crowds to make her the offer of their ſwords. The Clanchattan, though called to arms by the earl of Huntley, forſook his ſtandard for that of their ſovereign, when they diſcovered that his intentions were hoſtile to her. She employed this ſtrength in laying ſiege to the caſtle, which ſurrendered itſelf upon the firſt aſſault. The lives of the common ſoldiers were ſpared, but the deputy-governor was inſtantly executed. The Queen, full of apprehenſions, returned to Aberdeen *.

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To intimidate the earl of Huntley, to puniſh the troubles which his family had created to the Queen, and to convince him that his utter ruin was at hand, a meaſure infinitely humiliating was now concerted, and put in practice. The earl of Marre reſigned the rich eſtate of that name to the lord Erſkine, who laid claim to it as his right, and received in recompence, after its erection into an earldom, the territory of Murray, which made an extenſive portion of the poſſeſſions of the earl of Huntley †.

The lady Huntley haſtened to Aberdeen to throw herſelf at the feet of her ſovereign, to make the offer of the moſt humble ſubmiſſions on the part of her huſband, and to avert, by every poſſible means, the downfal of his greatneſs. But all acceſs to the Queen was refuſed to her;

* Spotſwood, p. 186. Crawfurd, Lives of Officers of State, p. 84. † Crawfurd, Peerage of Scotland, p. 303-356. Buchanan, Hiſt. Rer. Scot. lib. xvii. Keith, p. 226.

her; and the earl of Huntley was ſummoned to appear in perſon before the privy council to anſwer for his conduct, and to make a full reſignation of all his caſtles and fortreſſes. He did not preſent himſelf, and was declared to be in open rebellion. A new proclamation was circulated by the Queen to collect together a ſufficient ſtrength to ſubdue the inſurgents. The command of her troops was given to the earl of Murray, who put them inſtantly into motion. Huntley, advancing towards Aberdeen to give them battle, was informed of their approach. He halted at Corrichie, ſolacing himſelf with the hope of a deciſive victory. The army of the Queen was the moſt numerous; but there were ſeveral companies in it in whom little confidence could be placed *. Theſe the earl of Murray poſted in the front of the battle, and commanded them to begin the attack. They recoiled upon him in diſorder, according to his expectation; but a reſolute band in whom he truſted, holding out their ſpears, obliged them to take a different courſe. Their confuſion and flight made Huntley conceive that the day was his own. He therefore ordered his ſoldiers to throw aſide their lances, and to ruſh upon the enemy ſword in hand. His command was obeyed, but with no precaution or diſcipline. When his men came to the place where the earl of Murray had ſtationed himſelf, the points of the extended ſpears of his firm battalion put a termination to their progreſs. The panick communicated by this unexpected reſiſtance was improved by the vigour with which he preſſed the aſſailants. In their turn they took to flight. The companies of the Queen's army which had given way in the beginning of the conflict were now diſpoſed to

Book I. 1562. 15 October.

* Knox, p. 345.

atone

Book I. atone for their miſconduct; and taking a ſhare in the battle committed a ſignal ſlaughter upon the retainers of the earl of Huntley. This nobleman himſelf, old bulky and broken down with a ſentiment of compunction and grief, expired in the throng of the purſuit. His ſons Sir John Gordon, and Adam Gordon were made priſoners, with the principal gentlemen who had aſſiſted him *.

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Mary, upon receiving the tidings of this ſucceſs, diſcovered neither joy nor ſorrow. A complication of emotions operated in her boſom. A conſciouſneſs of the rivalſhip and animoſities of Huntley and the earl of Murray, a ſympathy for the misfortunes of the former, an apprehenſion leſt in ſome inſtances ſhe might have yielded too far to the arts of the latter, a ſatisfaction in her own ſafety, and a ſenſe of the juſtice which ſhe owed to her ſtation and to her people, all acted upon her mind, and kept her in perturbation. But if in looking to the paſt ſhe felt ſome uneaſy ſenſations, ſhe ought now that the hour of victory was come, to have diſtinguiſhed herſelf the more by her moderation and humanity. The paſſions, however, of the earl of Murray and his party were not yet completely gratified. Sir John Gordon was brought immediately to trial, confeſſed his guilt, and was condemned to ſuffer as a traitor. The ſentence accordingly was executed, amidſt a multitude of ſpectators, whoſe feelings were deeply affected, while they conſidered his immature death, the manlineſs of his ſpirit, and the vigour of his form. Adam Gordon, upon account of his tender age, was pardoned; and fines were levied from the other captives of condition according to their wealth.

* Buchanan, Hiſt. Rer. Scot. lib. xvii. Spotſwood, p. 187.

The

The lord Gordon, after the battle of Corrichie, fled to his father in law the duke of Chatelerault, and put himſelf under his protection; but was delivered up by that nobleman, all whoſe endeavours in his favour were ineffectual. He was convicted of treaſon, and condemned; but the Queen was ſatisfied with confining him in priſon. The dead body of the earl of Huntley, with a barbarity that is diſgraceful to human nature, was carried to Edinburgh, and kept without burial, till a charge of high treaſon was preferred againſt him, before the three Eſtates. An oſtentatious diſplay was made of his criminal enterprizes, and a verdict of parliament pronounced his guilt. His eſtates, hereditary and moveable, were forfeited; his dignity, name, and memory, were pronounced to be extinct; his enſigns armorial were torn from the book of arms; and his poſterity were rendered unable to enjoy any offices, honour, or rank within the realm *.

Such was the fate of the earl of Huntley; and, if the guilt of concerted meaſures to effect his overthrow is not to be imputed to the earl of Murray, it will be allowed, that he improved the criminal ambition, and the deteſtable projects of this nobleman to his deſtruction, with a ſtudied dexterity; and that, for this end, he took advantage of every riſing accident of the times. While he flattered his reſentments, he gave a ſtability to his power. But amidſt the melancholy events, and the unhappy agitation of paſſions, attending the fall of Huntley, there were yet ſome circumſtances of public emolument. The power of government and the arm of the

* Crawfurd, Lives of Officers of State, p. 87, 88. Buchanan, Hiſt. Rer. Scot. lib. xvii. Keith, p. 288. Spotſwood, p. 187.

Book I. magiſtrate became henceforward more efficacious in the northern diſtricts of the kingdom; and the popiſh faction, which depended in a peculiar manner upon the wealth and the greatneſs of his family, received a blow which it could not hope to recover.

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Negociation for an interview between Mary and Elizabeth.

While theſe ſcenes were acting, Mary, who was ſincerely ſolicitous to eſtabliſh a ſecure amity between the two kingdoms, opened a negociation to effectuate an interview with Elizabeth. Secretary Maitland, whom ſhe employed in this buſineſs, met with a moſt gracious reception at the court of London. The city of York was appointed as the place where the two Queens ſhould expreſs their mutual love and affection, and bind themſelves to each other in an indiſſoluble union; the day of their meeting was fixed; the faſhion and articles of their interview were adjuſted; and a ſafe conduct into England was granted to the Queen of Scots by Elizabeth *. But in this advanced ſtate of the treaty it was unexpectedly interrupted. The diſturbances in France, the perſecution of the proteſtants there, and the danger of conſequence which threatened the reformed countries, ſeemed to require Elizabeth to be particularly upon her guard, and to watch with eagerneſs againſt the machinations of the adverſaries of her religion. Upon theſe pretences ſhe declined for a ſeaſon the projected interview; ſending to Mary with this apology Sir Henry Sidney, a miniſter of ability, whom ſhe inſtructed to dive into the ſecret views of the Scottiſh Queen †. This was a ſevere diſappointment to Mary; but it is reaſonable to believe, that Elizabeth acted in the negociation without ſincerity, and upon princi-

* Haynes, p. 388, 389. † Keith, p. 221. Haynes, p. 391.

ples

ples of polity. It was not her intereſt to admit into her kingdom a Queen, who had pretenſions to her crown, and who might ſtrengthen them; who might raiſe the expectations of her Roman catholic ſubjects, and advance herſelf in their eſteem; and who far ſurpaſſed her in beauty, and in the bewitching allurement of converſation and behaviour. Book I. 1562.

Amidſt affairs of great moment, a matter of ſmaller conſequence, but which is intereſting in its circumſtances, deſerves to be recorded. Chatelard, a gentleman of family in Dauphiny, and a relation of the chevalier de Bayard, had been introduced to Queen Mary by the ſieur Damville, the heir of the houſe of Montmorency. Poliſhed manners, vivacity, attention to pleaſe, the talent of making verſes, and an agreeable figure, were recommendations to this man. In the court they conferred diſtinction upon him. He made himſelf neceſſary in all parties of pleaſure at the palace. His aſſiduities drew to him the notice of the Queen; and, at different times, ſhe did him the honour to dance with him. His complaiſance became gradually more familiar. He entertained her with his wit and good humour; he made verſes upon her beauty and accompliſhments; and her politeneſs and condeſcenſion inſinuated into him other ſentiments than gratitude and reverence. He could not behold her charms without feeling their power; and inſtead of ſtifling in its birth the moſt dangerous of all the paſſions, he encouraged its growth. In an unhappy moment he entered her apartment, and, concealing himſelf under her bed, waited the approach of night. While the Queen was undreſſing, her maids diſcovered his ſituation, and gave her the alarm. Chatelard was diſmiſſed with diſgrace; but ſoon after received her par- The ſtory of Chatelard.

Book I. 1562. don. The frenzy, however of his love compelling him to repeat his crime, it was no longer proper to ſhow any compaſſion to him. The delicate ſituation of Mary, the noiſe of theſe adventures which had gone abroad, and the rude ſuſpicions of her ſubjects, required that he ſhould be tried for his offences and puniſhed. This imprudent man was accordingly condemned to loſe his head, and the ſentence was put in execution *.

Eccleſiaſtical affairs. The diſſatisfactions of the Proteſtant clergy were ſtill ſtimulating their paſſions. In a ſupplication of their aſſembly, which they meant to preſent to the Queen, they demanded anew the total abolition of the maſs, as the fountain of all impiety and profaneneſs; exclaimed againſt the prevalence of whoredom, adultery, and the contempt of God; and inſiſted that the revenues and appropriations allotted for their maintenance ſhould be managed without corruption, and in ſuch a method, as to anſwer the purpoſe intended by them. But the language they employed being coarſe, inclement, and inſulting, Secretary Maitland engaged to preſerve the ſenſe of their petition in a new one which ſhould be leſs exceptionable in its expreſſion and manner. This advantage, however, did not prevail with the Queen to apply a remedy to their complaints; and it was, doubtleſs, an error in her polity, that ſhe ſo ſtudiouſly delayed to make a decent proviſion for an order of men who conſtituted the public and national church. Their diſappointment as uſual, gave a keenneſs to their ſpleen; and while they abuſed their ſovereign, they forgot not to deride the painted eloquence of her ſecretary †.

* Brantome, ap. Addit. aux Mem. de Caſtelnau, p. 455. Keith, p. 231. Knox, p. 351. † Knox, p. 340.

John

John Knox, in whoſe abilities and zeal the great body of the Proteſtants placed the greateſt truſt and veneration, conceiving, or ſeeming to conceive, about this period, a more than common apprehenſion of the reformed eſtabliſhment, exerted all his influence to create an aſſociation in its defence. By his means, *a new covenant** was ſubſcribed at Ayr by ſome of the nobility, a great many inferior tenants of the crown, and a ſtill greater number of perſons of leſs conſideration. The parties to this deed bound themſelves by the favour they hoped from Chriſt to maintain his goſpel, and to ſupport his miniſters; to aſſiſt one another, and the Proteſtants in general, in all juſt actions; and to conſider and to treat as enemies all thoſe who ſhould moleſt them in an individual capacity, or as a ſociety†. This meaſure ſo formidable in itſelf, and ſo pernicious as a precedent, at a time when no real danger appears to have threatened the Proteſtant religion, ought to be conſidered as a factious device to excite the terrors of the people, and to inflame them againſt the adminiſtration and the perſon of their ſovereign. It was a moſt wanton inſult of government, and it was to lead to other inſults and enormities.

A new covenant.

The unquiet thoughts ſuggeſted to Mary by melancholy events, and by the troubleſome cares of royalty, received now a relief of a kind the moſt flattering and agreeable. She had ſuſtained the honours of widowhood during a ſufficient period. A Queen, young, beautiful, and accompliſhed, an antient and hereditary kingdom, and the expectation of a mightier inheritance, were objects to excite the love and ambition of the

Propoſals of marriage are made to Mary.

1563.

* For an Account of the former covenants ſee the Hiſtory of the Eſtabliſhment of the Reformation in Scotland.

† Keith, p. 515. Knox, p. 342, 343.

Book I. moſt illuſtrious perſonages. Her own ſubjects and foreign nations, the Proteſtant and Popiſh powers, were deeply intereſted in the choice ſhe would make, and waited for it with anxiety. The Houſe of Guiſe, in propoſing alliances to her, conſulted their own grandeur. Through their mediation ſhe received addreſſes from the king of Sweden, the king of Navarre, the prince of Condé, and the duke of Ferrara. But the pretenſions of theſe ſuitors were ſuppoſed to be of little conſideration when compared with thoſe of Don Carlos of Spain, the archduke Charles of Auſtria, and the duke of Anjou.

1563.

Philip II. ſtimulated with the glory of univerſal dominion, thought of gaining Mary to his ſon Don Carlos. The Cardinal de Glanvelle and his brother Chantonai entered into intrigues for this purpoſe. To Catharine de Medicis theſe intrigues were infinitely alarming. The marriage of the Queen of Scots with Don Carlos would advance the Houſe of Guiſe to a power which might deſtroy her conſequence, and which threatened the humiliation of France by the union of Scotland and England to the Spaniſh dominions. In preference to this connexion, ſhe encouraged the Cardinal of Lorraine to foſter the marriage of Mary with the archduke Charles of Auſtria; a project which the Houſe of Guiſe had previouſly concerted, and to the advancement of which ſome ſteps had been taken. A foundation was thus laid for defeating both theſe alliances, as jealouſies were thence excited between Philip II. and Maximilian, the eldeſt ſon of the emperor Ferdinand, and the brother of the archduke Charles. At the ſame time, it was not the real intereſt of Maximilian that either Don Carlos or the archduke Charles ſhould be fortunate in their addreſſes to the Queen of Scots. For he was in hopes

hopes himſelf of ſucceeding to the dominions of Philip II. whoſe ſon Don Carlos was of a ſickly conſtitution; and as his brother upon this event might affect a title to reign in the low countries, he did not chooſe that he ſhould acquire by marriage the power to enforce it*. Book I. 1563.

Amidſt her other intrigues, Catharine de Medicis, with an intention to ſecure Mary in the intereſts of France, granted a commiſſion to Caſtelnau to make her an offer of Henry duke of Anjou, the brother of Charles IX. This prince had the proſpect of aſcending the throne of France, and was not long in attaining this dignity. But as yet there were probabilities that this event might be prevented; and the Queen of Scots, though attached with a fond affection to that country where ſhe had received her education, and over which ſhe had ſwayed the ſceptre, could not think of being immediately connected with it in an inferior ſtation; and was ſenſible that by returning to it afterwards, ſhe would neceſſarily expoſe her own kingdom to the diviſions and the paſſions of her ſubjects. To Caſtelnau ſhe apologized for not complying with the propoſition he made to her; and ſhe did not ſcruple to inform him, that preſſing ſolicitations had come to her from the archduke Charles and other princes; that many of her ſubjects were deſirous that ſhe ſhould give her hand to the prince of Condé, and thus unite the Houſes of Bourbon and Lorraine; but that if ſhe ſhould conſult her own intereſt and ambition, ſhe ought to yield to the propoſals of Don Carlos, the preſumptive heir of the Spaniſh monarchy, and the moſt powerful of all the princes of Chriſtendom. She added, how-

* Addit. aux Mem. de Caſtelnau, p. 500. 504. Melvil, Memoirs, p. 69. Forbes, State Papers, vol. ii. p. 287.

BOOK I. 1563. ever, that ſhe had formed no determined reſolution, and was altogether uncertain upon what perſon ſhe would fix her affections *.

To Elizabeth the marriage of Mary was a matter of greater importance than to Catharine de Medicis; and her negociations upon this ſubject were not leſs artful and profound. An alliance with a foreign prince whoſe power was formidable, might enable Mary to avow openly, and to proſecute by arms her pretenſions to England. From the Scottiſh borders her kingdom was open to invaſion; and the union of a great ſtate to that of Scotland might entirely annihilate her grandeur, and place her crown upon the head of a triumphant rival. Upon the firſt notice of the propoſals of the archduke Charles, ſhe had ordered Randolph to remonſtrate againſt that alliance, and to aſſure Mary, that it would diſſolve for ever all good agreement between England and Scotland. After the aſſaſſination of the duke of Guiſe by Poltrot de Merey, the cardinal of Lorraine, in order to ſupport the declining condition of his houſe, preſſed anew the marriage of the archduke with the Queen of Scots; and the county of Tyrol was offered to her in dowry. The anxieties of Elizabeth increaſed. To defeat this match, ſhe diſpatched the earl of Suſſex to the emperor Maximilian to congratulate him upon his coronation; and to draw the archduke Charles from all thoughts of the Queen of Scots, by amuſing him with the hope of a marriage with herſelf. Her inſtructions in the mean while to Randolph were ſtronger and more reſolute than before; and this miniſter diſcovered to Mary the rooted averſion of the Queen of England not

* Caſtelnau, Mem. p. 460, 461. Daniel, Hiſt. de France, vol. v. p. 842.

only

only againſt her alliance with the archduke, but with any foreign prince whatſoever *.

He repreſented to her that Elizabeth had entered deeply into the ſubject of her marriage. It was the opinion of his miſtreſs, that ſhe ought to make ſuch a choice as might enſure her own happineſs, and be ſatisfactory to the nobility and commons of her kingdom. But while ſhe took theſe objects into conſideration, it ought likewiſe to engage her thoughts, that her choice ſhould be conſiſtent with the friendſhip of England. The advice of the cardinal of Lorraine, who was ſedulous to urge the addreſſes of the archduke Charles, was founded in hoſtility to Elizabeth and the Engliſh nation; and this connexion by dividing the affections of the two kingdoms would put to hazard far mightier acquiſitions than the greatneſs it would bring. The former deſigns and practices of the Houſe of Guiſe could not be unknown to her. The preſent project was ſuggeſted by ſimilar maxims of polity, and could not poſſibly have in view the future quietneſs and union of England and Scotland. It was a ſcheme that bore a near reſemblance to her marriage with Francis II. which involved in it the greateſt calamities. To act, therefore, with the intention of marrying her either to the children of France, Spain, or Auſtria, was to ſeek a renewal of paſt misfortunes. The immediate effect of any deſign of this ſort would be a diſſolution of her amity with Elizabeth. A war might next enſue; and in the heat of animoſities deciſive reſolutions might be taken to defeat all her claims to the crown of England. A perſonage of rank at home or abroad whoſe diſpoſitions and character were agreeable to Mary and her ſubjects, and

* Camden, p. 390. 393. Melvil, Memoirs, p. 82.

from

Book I. 1563. from whom no interruption could be dreaded to the union of the two ſtates, would be a choice the moſt acceptable to Elizabeth; and if the Queen of Scots would conform to this plan ſhe might be aſſured, that her ſiſter would immediately inquire into her rights as her ſucceſſor, and even proceed to make a public and formal declaration of them *.

Intrigues ſo contradictory in themſelves and conducted by parties of ſuch ability and power could not fail of operating with efficacy. In the midſt of the flatteries natural to her ſituation, and which ſhe was formed to feel in all their vivacity, Mary was to know the anguiſh and delay of diſappointment. Uneaſineſs and pleaſure prevailed by turns in her mind, checquering a ſcene of her life which ought to have paſſed in pure expectation and enjoyment. The rival claims of her lovers, the negociations to effectuate them, the dark artifices of Catharine de Medicis, the jealouſies of Philip II. and the emperor Maximilian, the difficulty of giving ſatisfaction to her own ſubjects, who dreaded Popery, and a foreign yoke, and above all the determined remonſtrances of Queen Elizabeth, and the danger which might affect her pretenſions to England, if ſhe ſhould offend that princeſs, kept her in ſuſpence, agitation, and anxiety.

Proceedings againſt the Papiſts. The ferments of the Proteſtant clergy broke out, in the mean while, in ſeverities and accuſation againſt the followers of the maſs. They inſiſted that the puniſhment ordained by the laws ſhould be put in execution againſt them. John Knox conferred upon this ſubject with his ſovereign. It was in vain that Mary explained to this reformer the inclemency of intoleration, and

* Keith, p. 242. 246, 247.

the

the ſavage cruelty of putting men to death for their opinions. He informed her that it was the duty of princes to obey the laws; and that if ſhe refuſed to do ſo, the Proteſtants had a title to take into their hands the ſword of juſtice. He even ventured to enforce his reaſoning by examples. "Samuel, ſaid he, delayed not to "ſlay Agag the fat and delicate king of Ama-"lek, whom king Saul had ſaved; neither "ſpared Elias Jezebel's falſe prophets, and Baal's "prieſts, although king Ahab was preſent. "Phineas was no magiſtrate, and yet he fear-"ed not to ſtrike Zimri and Cozbi in the "very act of filthy fornication. And ſo, Ma-"dam, your Majeſty may ſee that others than "chief magiſtrates may lawfully puniſh the "vices and crimes condemned by God and the "laws*." Many of the Roman Catholic clergy fled into England. But accuſations of ſaying and hearing maſs were preferred againſt the archbiſhop of St. Andrews, and a few prieſts and monks whoſe zeal had been moſt offenſive. A court of juſticiary proceeded againſt them. They confeſſed their guilt, and committed themſelves to the mercy of the Queen; who as a puniſhment of their miſdemeanour, ordered them to be confined in different priſons, till it ſhould be her pleaſure to ſet them at liberty†. Book I. 1563.

From the popularity of theſe meaſures, which took place immediately before the meeting of the Parliament, Mary derived conſiderable advantages. Her Proteſtant ſubjects were induced to believe, that her prejudices againſt the reformed doctrines would gradually die away; and that the period was approaching, when ſhe would em- Mary aſſembles a Parliament.

* Knox, p. 353. † Spotſwood, p. 187, Knox, p. 356,

brace

Book I. 1563. brace the eſtabliſhed religion with cordiality, and give her full conſent to the utter abolition of the maſs. She had not yet preſided in perſon in any convention of the public council of the nation; and ſhe was diſpoſed, upon this occaſion, to improve to the utmoſt all the favourable impreſſions of her people. Aſſuming the dignity which became her, ſhe proceeded to the ſenate houſe with all the enſigns of royalty. The duke of Chatelherault carried the crown; the earl of Argyle bore the ſceptre; and the earl of Murray held in his hand the ſword of ſtate. She opened the aſſembly of the three Eſtates with a ſpeech from the throne full of affection and prudence. At different times ſhe preſided in their meetings. The richneſs of her dreſs, the variety of her jewels, and the ſplendour of her train, accuſtomed her people to a magnificence which had been hitherto unknown to them; and her nobles imitating her example, vied in equipage and grandeur. The proceedings of the parliament were in conformity to all her wiſhes; and many acts were paſſed, in which there appear a ſignal wiſdom, and a warm ſolicitude to conſult the happineſs and proſperity of her kingdom *.

It was in this aſſembly, that the eſtates of the earl of Huntley † were forfeited; and that acts of attainder were executed againſt ſeveral of his vaſſals, and againſt his relation the earl of Sutherland. It was in a better ſpirit, that the act of oblivion in the treaty of Edinburgh was now completely confirmed. But though Mary gave her ſanction to this act, ſhe did not think of ratifying the treaty itſelf. Her confirmation, however, of the act of oblivion was ſalutary in

* Buchanan, Hiſt. Rer. Scot, lib. xvii. Keith, p. 239.

† P. 49.

no common degree, as it diſpelled many fears and jealouſies which haunted her people, and encouraged their animoſities and diſcontent. A full indemnity was thus afforded to all perſons who had tranſgreſſed againſt the laws, and had committed diſorders during the troubles which had preceded the eſtabliſhment of the reformation. Their offences were ordered to be forgotten, and a ſecurity was given to their perſons. Other regulations of great utility were propoſed, and carried into excution. The ſtate of the coin was attended to; acts were framed for advancing the public police; and new rules of trade were eſtabliſhed. It was ordained, that no ſubject, of whatever rank, ſhould preſume to levy bands of men for any purpoſes of war, and to uphold them in his pay without the conſent of the ſovereign; and the pain of death was to be incurred, not only by all thoſe who inliſted mercenaries into their ſervice, but by the mercenaries themſelves. The intereſts of learning were not neglected. The modes of education in the colleges of St. Andrews and in other places, were enquired into, and improved. Ordinances were made to facilitate buſineſs, and to guard againſt frauds in the commerce of territory and eſtates. The boroughs were encouraged to maintain their importance and privileges; and, by a particular law, it was ordered, that their deputies ſhould be regularly called to all conventions or councils where the ſubjects of deliberation were peace or war, or any general taxation of the realm. Even the affairs of the church attracted a particular notice. For it was enacted, that no leaſes or grants in feu of eccleſiaſtical lands ſhould deprive the acting miniſters of manſes or glebes; and that the crimes of adultery and witchcraft ſhould be capital. The reparation and upholding of churches,

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churches, and the proviſion of proper places for the burial of the dead, were recommended to the privy council; and uſeful laws were framed concerning the tenants and poſſeſſors of church lands, and concerning the ſale and tranſmiſſion of the property of benefices *.

The inſolence of the Proteſtant clergy.

But, amidſt all the importance of theſe laws, and all the popularity which the Queen and her miniſters drew to themſelves from the tranſactions of this parliament, the proteſtant preachers continued in their diſcontents and turbulence. No adequate proviſion had yet been made for their maintenance; and till an eſtabliſhment of this kind took place, they were reſolved to diſturb the government. John Knox, who had earneſtly ſolicited the earl of Murray in behalf of the church was ſo diſguſted with the coldneſs of this ſtateſman, that he addreſſed a letter to him, putting an end to their familiarity, and diſcharging him from all farther concern with his affairs. The nobles were reviled as traitors to the cauſe which they had once eſpouſed. Their ſtoutneſs in former times, and their remiſſneſs in the preſent, were contraſted together. It was reproached to them, that they preferred their own affections to the glory of God, and their own emolument to the advancement of truth. The improvements in living and apparel which the Queen had encouraged were repreſented as the moſt heinous enormities. Her own fondneſs for dreſs, the ſuperfluous ornaments of her women, and the garniture of gold, pearl, and precious ſtones, were topics of a peeviſh raillery and declamation.

In the bitterneſs of diſappointment, John Knox even employed himſelf in invectives from the pulpit againſt the marriage of his ſovereign.

* Black Acts, p. 170—180.

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He warned the nobility, that if they permitted a papiſt or an infidel to obtain her perſon and the government of Scotland, they would be guilty to the full extent of their power of baniſhing Chriſt Jeſus from the kingdom, of bringing down upon it the vengeance of God, of being a curſe to themſelves, and of depriving their Queen of all comfort and conſolation. A behaviour ſo rude in itſelf, and ſo alarming in its tendency, gave a general offence to all ranks of the people. Knox was cited to appear before the Queen; and, being proud of the attention which was paid to him, he repeated to her the abuſive expreſſions he had employed, inſiſted upon their propriety, inſinuated, that in the pulpit he was not maſter of himſelf, but ſpoke from inſpiration, and informed her, that when it ſhould pleaſe God to deliver her from the bondage of darkneſs, ſhe would find nothing that could be cenſured in the liberty he had taken. Mary, full of aſtoniſhment at the boundleſs audacity of the man, and too ſenſible of the inſulting freedom of his ſpeech, burſt out into tears. But the perturbation and the tears of a Queen, ſo young, ſo gentle, and ſo beautiful, did not ſoften the coarſe ruſticity of this zealous eccleſiaſtic. He perſiſted to juſtify his conduct; and ſhe commanded him with indignation to depart from her preſence. To her miniſters ſhe propoſed that a ſevere puniſhment ſhould repreſs the licentiouſneſs of his tongue, and be an example of terror to the other preachers. But they counſelled her to take no farther notice of this outrage, and to let it die away in contempt and in ſilence *.

The Queen thought now of making a progreſs through the weſtern counties of her king- They encourage a riot at Holyrood houſe.

* Knox, p. 359. 361.

dom,

Book. I. dom, and of taking the diverſion of hunting.
1563. A part, however, of her family was left at Holyrood houſe; and the ordinary ſervice of her chapel was continued. Many of the citizens of the Roman catholic perſuaſion, conceiving this to be a favourable opportunity, were ſolicitous of attending there the ordinances of their religion. The preachers were diſconcerted and alarmed; and exciting the paſſions of the populace, a tumult enſued. The gates of the Queen's chapel were forced open, the ſervice was inſulted, and the papiſts were thrown into diſmay and confuſion. Two of the brethren who had been moſt outrageous were taken into cuſtody; and Knox, apprehending that the Queen would proceed with rigour againſt them, addreſſed circular letters to the faithful requeſting them to aſſemble, and to afford their aſſiſtance and protection in the preſent neceſſities of the church. By the interceſſion, however, of the earls of Murray and Glencairne, Mary dropped her reſentment againſt the priſoners. But one of the letters of Knox having been conveyed to her, it was conſidered as mutinous and treaſonable. When ſhe returned to Edinburgh he was called, upon this account, to appear before her and the privy council; and he came to her palace, attended by an immenſe crowd of the Proteſtants. Exerting his uſual reſolution, he affirmed, that to convoke the people after the manner employed by him, could not be pronounced to be rebellion; and that immediately after the reformation he had received authority from the church to aſſemble the faithful when the urgency of their affairs was imminent, and when religion was in danger. After making his defence, he did not heſitate to addreſs himſelf to the Queen, charging her in the name of the Almighty God,

as

as ſhe deſired to eſcape his heavy wrath and indignation, to forſake the idolatrous worſhip ſhe profeſſed, and which ſhe was ſo ſolicitous to maintain againſt the ſtatutes of the realm. The earl of Morton the lord chancellor interrupting his harangue, ordered him to withdraw, and deſired the nobles to deliberate concerning his offence. After mature conſideration of his caſe, it appeared to be a ſtretch of the conſtitutional rights to hold him guilty of treaſon. A majority of the council concurred to give him a full acquittal of any ſeditious intention or practice; and the diſappointment of the Queen in her deſire to condemn him, ſerved, as uſual, to foſter his boldneſs, and that ſpirit of perſecution and turbulence, which had grown unfortunately to be the characteriſtic of his party *.

Intrigues concerning the marriage of the Queen of Scots.

New negociations, in the mean while, were entered into upon the ſubject of the marriage of the Queen of Scots. When Elizabeth had communicated to her by Randolph that the moſt effectual method by which ſhe could ſecure the amity of England and her claims to that kingdom was to match with a ſubject, ſhe gave private inſtructions to her ambaſſador to inform the earl of Murray and ſecretary Maitland that the perſon whom ſhe wiſhed to raiſe to the Scottiſh throne was lord Robert Dudley. This nobleman with almoſt every vice had gained the affections of Elizabeth, and poſſeſſed in an uncommon degree all thoſe perfections and attainments which are moſt alluring to the female ſex. His countenance was open and engaging, his form and ſhape were exact and elegant, his manner was ſoft, graceful, and attentive, his converſation

* Spotſwood, p. 188. Knox, p. 362. 373. Keith, p. 527, 528.

 inſinuating,

Book I. 1563. inſinuating, and his command of temper ſo complete, that he could accommodate himſelf to every humour, and be agreeable in every ſituation of the mind. But as a ſtateſman his ability was narrow and confined, as a ſoldier his courage was ſuſpected; and it was known, that he had no ſenſe of honour, no probity, and no religion. He had, notwithſtanding, recommended himſelf ſo powerfully to his ſovereign, that ſhe had taught him to aſpire to her bed; and to pave the way to this exaltation, it was ſuppoſed, that he had murdered his wife, the heireſs of Sir John Robeſart*. The moſt diſtinguiſhed honours were conferred on him by Elizabeth; and while ſhe paid a doating attention to his perſon, ſhe pointed him out as a proper huſband to another Queen. This fortune was capricious, and directed his hopes to the moſt illuſtrious objects which could awaken the pride, and engage the ambition of a ſubject.

1564. Before the ſcheme of Elizabeth to advance Dudley to the ſovereignty of Scotland was diſcloſed to Mary, it had reached France, and put in motion the artifices of Catharine de Medicis; who conſcious of the cauſes of diſſatisfaction given to the Queen of Scots, imagined that the time for expreſſing her diſcontents was now arrived, and that in the amity which was about to be cemented with England, the antient allies of the Scottiſh nation would be neglected and forgotten. Upon the death of the duke of Guiſe ſhe had given way to her antipathies to that Houſe, and to the Queen of Scots, and had ventured upon actions of inſult and indignity. Her behaviour was now reverſed; and to prevent the propoſed connexion with England,

* Haynes, p. 444.

ſhe

ſhe made a parade of an extravagant kindneſs and flattery. The payment of Mary's dowry which had been ſtopt by her command, was now aſſured to her in the moſt regular manner; the ſums in arrear were remitted; ſhe was preſſed to accept of wines for her houſhold without impoſt or cuſtom; and was offered a plentiful ſupply of artillery and military ſtores. The duke of Chatellerault had been deprived of his duchy; and an order was now made to re-eſtabliſh him in it. The command of the Scots gendarmes which had been given to a Frenchman, was held out to the lord Robert Stuart, a brother of the Queen of Scots. The merchants of Scotland were to be admitted anew to the rights to which they had been formerly intitled. The nobles who had enjoyed penſions from France were to be reinſtated in them; and the grant of annuities to any of her ſubjects who were moſt agreeable to her, was propoſed to Mary, as a matter conſtantly within her power, and as a meaſure very proper to enſure the union, and to conſolidate the intereſts of the two nations. To the Queen of Scots the purpoſe of theſe advances was ſufficiently obvious. Hated by the Queen Mother, and hating her in return, ſhe was upon the watch againſt her inſidious policy. In the court of her huſband Francis II. ſhe had ſtudied the character of this ſingular woman, whoſe ambition was inſatiable, whoſe ſmiles were treacherous, and who was inclined to accompliſh her ends rather by crimes than by virtue *.

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Randolph the Engliſh reſident did not fail to mention lord Robert Dudley to the earl of Murray and ſecretary Maitland as the perſon whom Elizabeth had choſen to be the huſband of Mary.

* Keith, p. 244. 248, 249.

BOOK I. 1564. But though theſe ſtateſmen were ſufficiently zealous to promote the views of the Engliſh Queen, they did not chooſe to diſcloſe ſo humiliating a propoſal to their miſtreſs. It was their opinion, that her high ſpirit would not permit her to deſcend ſo far below the level of her condition. They eſteemed it unfriendly and even dangerous in them, to move her to a ſtep which muſt fix a ſtain upon her character that could not be effaced; and though her title to England might receive a confirmation in conſequence of this ſubmiſſion to Elizabeth, it could not eſcape obſervation, that a recognizance of her claims in one parliament might be revoked in another. If, upon the contrary, ſhe was to match with a ſovereign prince, her honour would increaſe, a dread of offering her an indignity would prevail, and in the event of oppoſition and battles, ſhe would be the more able to ſupport her dignity, and to vindicate her rights. It was their counſel, however, to Randolph, to deal openly with Mary concerning the propoſition of Elizabeth; and as this miniſter had expreſs inſtructions upon the ſubject, he repreſented to her that the Queen of England made her the offer of lord Robert Dudley as a huſband the fitteſt, and the moſt ſuitable. Mary liſtened to him with a patience which ſhe could not always command, and expreſſed herſelf with reſerve and caution. She did not think it kind in her ſiſter to propoſe one of her ſubjects as a huſband to her; and ſhe did not perceive how it could conſiſt with her honour to marry a perſon in that ſtation. Randolph preſſed her to conſider, that her approbation of the choice of Elizabeth would ſecure to her the inheritance of England, that an act of parliament would immediately conſolidate her claims, and that the union of the two kingdoms would

would be eſtabliſhed for ever. She deſired him to enter into a conference with Murray, Argyle, and Lethington; and it was the reſult of this negociation, that an interview ſhould take place between Elizabeth and Mary *. Book I. 1564.

It did not appear to Elizabeth that Mary would accept of lord Robert Dudley. It was always in her power to prevent the alliance; and ſhe had propoſed him to the Queen of Scots with the intention of protracting time, and of oppoſing her connexion with any foreign prince. It was her ſincere wiſh that Mary ſhould continue without a huſband. For the popularity of the Scottiſh Queen in England would thus be deeply wounded, and her right of ſucceſſion by being rendered leſs agreeable, be more eaſily defeated. To confine Mary to celibacy or a ſingle life was however beyond her utmoſt power; and in the view of her determined reſolution to marry, ſhe had ſecretly turned her thoughts to a nobleman who poſſeſſed many advantages over Dudley, and whoſe addreſſes to her ſhe was inclined to encourage. In conſequence of intrigues with the miniſters of Mary, ſhe called her attention to the Houſe of Lennox. Matthew Stuart earl of Lennox, had obtained in marriage the lady Margaret Douglas, the daughter of the earl of Angus, by Margaret the eldeſt daughter of Henry VII. and the widow of James IV. Of this marriage Henry lord Darnley was deſcended. His birth, accordingly, gave him pretenſions to the crown of England; and theſe might be improved to the prejudice of the Queen of Scots. Apprehenſions from that quarter were even artfully excited in her mind; and as the earl of Lennox had continued

* Melvil, Memoirs, p. 82. Keith, p. 251, 252.

Book I. in baniſhment ſince the regency of the duke of Chatellerault, ſhe, from motives of policy, in-
1564. vited him to Scotland, and gave him the hope of recovering his rank and his eſtates.

This invitation, though ſhe meant it to be ſecret, was made known to Elizabeth, who not only gave permiſſion to the earl of Lennox to return into Scotland, but furniſhed him with letters recommending him to Mary *. At the ſame time, paying her court to the Houſe of Hamilton, ſhe affected to cenſure the growing partiality of the Queen of Scots to the earl of Lennox, and proceeded ſo far as to give her a caution to conduct herſelf in ſuch a manner, as not to diſturb her country by renewing the diſſenſions of theſe rival families. Mary, diſguſted with her imperious inſolence, and irritated in particular by her practices to defeat the propoſals of the archduke Charles, of which ſhe was now fully informed, gave way to a ſentiment of indignation and animoſity. She addreſſed a letter to Elizabeth complaining in warm terms of her behaviour, and expreſſive of anger and reproach. All familiarity and correſpondence between Elizabeth and Mary was now interrupted. The ſcheme of their intended interview was no more thought of. Elizabeth inſtead of acting in her juſtification, aſſumed in her turn the language of complaint. She had been treated, ſhe ſaid, with an indignity which her ſiſterly care and affection did not merit. The two Queens were tortured with fears, ſuſpicions, and jealouſies.

The ſubject of the ſucceſſion to Elizabeth, in the mean while, was keenly canvaſſed both in England and Scotland. The Roman Catholics

* Keith, p. 255.

were

were zealous for the rights of Mary. The moſt ſtrenuous friends of the reformation were hoſtile to them. The titles of the lady Margaret Douglas, and of her children were agreeable to many; and a party was ready to ſet them up againſt thoſe of the Queen of Scots. There was alſo a faction which was diſſatisfied both with the claims of Mary, and Margaret. They were inclined to ſet aſide altogether the Scottiſh line; and they maintained that the crown ought to devolve to the Houſe of Suffolk. A book to enforce this opinion was even publiſhed by John Hales clerk of the Hanaper; a perſon who had the reputation of learning. But this author was committed to priſon for his officiouſneſs; and the lord keeper Bacon, who was ſuppoſed to have encouraged his undertaking, was forbid the court, and, ſo ſharply oppoſed by lord Robert Dudley, that all the influence of Sir William Cecil was neceſſary to re-eſtabliſh him in the good opinion of Queen Elizabeth. This check to the Houſe of Suffolk was highly acceptable to Mary; but the difficulties, notwithſtanding, of her ſucceſſion filled her with alarm and uneaſineſs. She knew well the violent prepoſſeſſions of the Proteſtants againſt the Popiſh religion; the pretenſions and the partizans of the lady Margaret Douglas were not to be deſpiſed; and above all, ſhe had reaſons to dread the enmity and the power of the Queen of England *.

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Mary, conſidering maturely the ſituation of her own kingdom, and her views upon England, was infinitely ſorry for the imprudent terms in which ſhe had written to Elizabeth. It was greatly her intereſt to apologize for her freedom;

The embaſſy of Sir James Melvil to the court of England.

* Haynes, p. 414. Camden, p. 395. Strype, Annals, vol. i. p. 453.

Book I. and to court the renewal of her amity with this princeſs. With theſe intentions therefore ſhe
1564. diſpatched Sir James Melvil to London; and ſhe entruſted him, at the ſame time, with a ſecret commiſſion to the lady Margaret Douglas, with whom ſhe had entered into intrigues; and whoſe penetration and ability had already induced her to entertain the ambition of marrying her ſon the lord Darnley to the Queen of Scots. Melvil, who was polite and agreeable, and practiſed in courts and in buſineſs, had all the ſucceſs he could deſire with Elizabeth. He inſiſted that the expreſſions of Mary might admit of a better interpretation than had been put upon them; and he explained them in their moſt favourable ſenſe. As Elizabeth only wanted a pretext to return to her correſpondence with the Scottiſh Queen, his apologies were admitted with the greater readineſs. She even tore in his preſence the angry anſwer which ſhe intended to have ſent to her. After giving this proof of her reconciliation, ſhe ſpoke of the marriage of his Queen with lord Robert Dudley. He regretted that the interview projected between them had not been found to be expedient; as the quiet and emolument of their kingdoms would, in that event, have been conſulted to their mutual ſatisfaction. The cares of his miſtreſs, he ſaid, had not allowed her to think of her marriage in every point of view; but ſhe was willing, in compliance with a meaſure concerted between her miniſters and Randolph, that commiſſioners ſhould meet upon the borders to treat fully concerning that ſubject. She had even appointed the earl of Murray, and ſecretary Lethington as her deputies in this buſineſs; and Randolph had given the expectation, that the earl of Bedford, and lord Robert Dudley would act as the commiſſioners of England.

land. "It ſeems, exclaimed Elizabeth, that you make little account of my lord Robert Dudley, ſince you name the earl of Bedford before him. But I ſhall ſoon raiſe him to a higher rank. I eſteem him as my brother and my beſt friend; and if I were not reſolved to die a maiden Queen I would marry him. My ſiſter cannot do better than to accept of him as her huſband. I ſhall then loſe all my jealouſies and ſuſpicions; for ſuch is my confidence in him, that I ſhould be certain he would preſerve the Queen of Scots from undertaking, or even from thinking of any attempt to the prejudice of my titles." A few days after this converſation, lord Robert Dudley was created baron of Denbigh, and received a grant of that caſtle and honour. He was then advanced to the higher title of earl of Leiceſter; and for the better ſupport of this dignity, was preſented with the caſtle and manor of Kenilworth *. Book I. 1564.

The pleaſing manners of Melvil made an impreſſion upon Elizabeth. Beſide acting with him in ſerious matters, ſhe indulged in his company the playſomeneſs of her humour. By this means he had an opportunity to penetrate the farther into her diſpoſitions and her character. At one time ſhe made him follow her into her chamber, and opened a cabinet where there were many portraits. Upon the paper which covered the firſt that ſhe took up, there was written with her own hand, "My lord's picture." Melvil anxious to ſee the portrait which had this title, preſſed her to gratify his curioſity. She diſcovered a reluctance and delay. His curioſity became more importunate; and at length prevailing with her to allow him to look upon it, he beheld the likeneſs of the earl of Leiceſter. He

* Melvil, Memoirs, p. 86. 96.

begged

Book I. 1564. begged that he might carry it home to his Queen; but ſhe would not part with it. She then took up a portrait of the Queen of Scots and kiſſed it; and Melvil adventured to kiſs her hand for the love which ſhe bore to his miſtreſs. At other meetings, ſhe made enquiries about the countries he had ſeen, and permitted him to entertain her with his travels. He made obſervations to her concerning the cuſtoms of foreign nations, and entered into details about the dreſſes of their women. She informed him, that in her wardrobe ſhe had apparel in the faſhion of all countries; and ſhe ſhewed a fond ſolicitude to meet him every day in a different garb. She put the queſtion to him, whether the Engliſh, the French, or the Italian habit became her beſt. He told her, that in his judgment ſhe appeared to the greateſt advantage in the Italian habit; an anſwer which was very flattering to her, as ſhe delighted to exhibit her golden coloured hair. Yet, ſays Melvil, her hair was not flowing, and was rather reddiſh than yellow. She aſked him whether his Queen or ſhe was the faireſt. Their fairneſs, he replied, was not their worſt faults. She was earneſt with him to be more explicit. Her Majeſty, he ſaid, was the faireſt perſon in England; and in Scotland there was nothing comparable to his Queen. She was ſtill diſſatisfied. Melvil thus preſſed to give her the preference, pleaſed her with the flattering acknowledgment, that ſhe was fairer than his Queen; but that his Queen was more lovely. She inquired, which of them was of the higheſt ſtature. He anſwered, that his Queen was the talleſt. Then, ſaid Elizabeth, ſhe muſt be too tall; for I am of a proper height. She expreſſed a deſire to know the amuſements with which Mary relieved the toils and anxieties of buſineſs. He replied,

replied, that ſhe took an extreme delight in books of hiſtory; that ſhe went frequently to chaſe the ſtag; and that ſhe could touch the lute and the virginals. She aſked him, if the laſt inſtrument was a favourite one, and if her ſkill in touching it was exquiſite. He ſaid, that ſhe could play upon it reaſonably for a Queen. As Elizabeth herſelf excelled in muſick, ſhe even contrived, that Melvil ſhould be a witneſs of her command over this inſtrument. By her order lord Hunſdon was to lead this ambaſſador as if by chance to her apartment, and afford him an opportunity to judge of her execution. He introduced him accordingly into a gallery from which her apartment was only ſeparated by a piece of tapeſtry. Melvil ſeeming to be ſtruck with the muſick, put aſide the tapeſtry, and placing himſelf at a convenient diſtance in her chamber, liſtened to her a conſiderable time. Elizabeth, affecting not to know his ſituation, turned about her head, and gave a cry of aſtoniſhment. She appeared not only ſurpriſed, but offended, and came forward as if to ſtrike him with her hand. Melvil endeavoured to excuſe the liberty he had taken from his having been accuſtomed to the free and the gay manners of France. She told him, that ſhe was not uſed to play before men, and that ſhe only employed herſelf in this exerciſe when ſhe was alone and in a melancholy mood. She neglected not, however, to aſk him, whether his Queen or ſhe was the moſt admirable performer. He ſaid, he was raviſhed with her ſkill in muſick, and could not but allow, that it was greater than that of his miſtreſs. She now turned the converſation to books of theology, hiſtory, and love; and Melvil upon leaving her, embraced the opportunity of preſſing to be favoured with her diſpatches, as the affairs of his miſtreſs required his ſpeedy return.

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Book I. 1564. return. She told him, that he was ſooner weary of her company than ſhe was of his; and detained him two days longer, that he might ſee her dance. Such abſurdity and littleneſs, ſuch girliſh levity and affectation did Elizabeth unite with the moſt maſculine ſpirit, and the profoundeſt policy *!

Melvil, after his arrival in Scotland, explained to Mary the tranſactions of his embaſſy; and when ſhe inquired if ſhe might repoſe any confidence in Elizabeth, he freely aſſured her, that ſhe ought to expect no ſincerity in her profeſſions, that her heart and her ſpeech were at variance, and that ſhe was full of deſign, deceitfulneſs, and envy. Her love of the earl of Leiceſter he repreſented as ſo exceſſive, that ſhe could not, by any means, be ſerious in the propoſition ſhe had made. Upon this delicate topic he had even converſed with the earl of Leiceſter himſelf; who informed him that he was not worthy of ſo accompliſhed a princeſs; that the ſcheme of the marriage was an invention of ſecretary Cecil, who wiſhed to compaſs his ruin; and that, in his ſituation, the diſcovery of any ſolicitude to attain this high honour, might not only give offence to the Queen of Scots, but involve him in the greateſt danger with Queen Elizabeth. Melvil brought alſo advices and information to Mary from lady Lennox; and from Sir Nicholas Throgmorton, who from a hatred to Cecil had became a warm advocate for her intereſts. The lord Darnley, it is probable, was the object of the private commiſſion with which he had been entruſted to the lady Lennox. The Queen of Scots had turned her attention to this nobleman who was of royal blood, and after her the neareſt

* Melvil, Memoirs, p. 97. 100.

heir

heir to the Engliſh monarchy. By condeſcending to take him in marriage ſhe would conſolidate both their titles, prevent any bar from his claims, and enſure the ſucceſſion to the two crowns in the Houſe of Stuart. He was yet under twenty years of age; his perſon had powerful recommendations; and as he was born in England, and as the conſequence of his family was too inconſiderable to excite the jealouſy and fears of Elizabeth, it was ſuppoſed, that ſhe could have no ſolid reaſon to oppoſe herſelf to his advancement *. Book I. 1564.

Elizabeth and Mary continued to exerciſe their duplicity and addreſs. The match with the earl of Leiceſter was now to be canvaſſed by the commiſſioners of the two nations. Elizabeth had concerted with Melvil that they ſhould meet at Berwick to hold their conference. Her delegates were the earl of Bedford and Randolph; thoſe of Mary were the earl of Murray and Lethington. Mutual proteſtations of friendſhip paſſed between them in the names of their Queens. The Engliſh deputies made the offer of the earl of Leiceſter, detailed the probable advantages of the marriage, and gave the hope that after its celebration the Queen of Scots ſhould be declared by act of parliament the preſumptive heir of Elizabeth. The deputies of Scotland maintained, that it was below their miſtreſs, who had been courted by Kings and Princes, to marry a new earl, and a ſubject, with the expectation only of an acknowledgment of her titles to the Engliſh crown. They called upon Bedford and Randolph to expreſs in a determined manner the actual favours and emoluments, which Elizabeth would beſtow upon their Sovereign in reſpect of Continuation of the intrigues of the two Queens.

* Camden, p. 396. Keith, 263.

kindred

Book I. kindred and amity, and as a reward for acceding to the propoſal of marrying the earl of Leiceſter; and, in the view, that the conditions of their miſtreſs were fit and reaſonable, they engaged to exert themſelves to the full extent of their power to promote this alliance. The Engliſh deputies did not riſe in their offers. Murray and Lethington perceived from their coldneſs that Elizabeth had no real intention that the match with Leiceſter ſhould take effect; and this nobleman himſelf had written privately to the earl of Bedford not to be too ſanguine in his proceedings. A conference under ſuch obſtacles could not be ſucceſsful; and the commiſſioners of the two Queens had probably foreſeen, that they were only to amuſe one another for a little time in a fruitleſs interçourſe.

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The lady Lennox in the mean while was urging the Queen of England to permit her ſon the lord Darnley to go to Scotland to enjoy the reſtoration of his father to his country and eſtates. Elizabeth, who had ſome ſuſpicion, that the Scottiſh deputies would yield every point to thoſe of England, was not averſe from producing the lord Darnley upon the ſtage at this critical juncture. For his preſence in Scotland might divert altogether the thoughts of Mary from the earl of Leiceſter. In this diſpoſition of her mind, her licence to Darnley was the more eaſily obtained. But while Elizabeth granted the ſolicitations of the lady Lennox it was not her purpoſe to promote the marriage of her ſon with the Queen of Scots, if it ſhould conſiſt with her policy to prevent it. Her great object was to keep Mary unmarried; and ſhe imagined, that ſhe poſſeſſed a full command over Darnley. For if he ſhould diſobey her orders, ſhe could declare him a rebel,

rebel, and forfeit all his eſtates in England *. Book I.

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While theſe intrigues were in agitation, Mary conducted the internal affairs of her kingdom with ability and prudence. She attended in particular with an anxious ſolicitude to the adminiſtration of juſtice. After the eſtabliſhment of the reformation the courts of the biſhops neceſſarily loſt their power, as being in ſubordination to the Pope whoſe authority was aboliſhed. An interruption of judicial proceedings in conſiſtorial ſuits had thus been occaſioned; and oppreſſions and diſorder were the conſequence. To remove this defect of juriſdiction, the Queen erected courts in convenient diſtricts, in which officers preſided under the name of Commiſſaries †. She alſo invited her civil judges or the ſenators of the College of Juſtice to a cloſer attendance upon their duties by a conſiderable augmentation of their ſalaries ‡. She even ſat frequently in perſon in the courts of law encouraging the diſpatch of buſineſs, adding to the dignity of legal forms, and promoting the equal and juſt rights of her ſubjects. By theſe cares her reputation was tranſmitted with advantage to foreign nations; and the moſt flattering expectations were conceived both at home and abroad of the future greatneſs of a princeſs, who had attained ſuch early diſtinction and eminence ||. The reputation and popularity of Mary.

But amidſt the paſſion of the Queen for a princely and honourable fame, and amidſt her anxiety to ingratiate herſelf with her people, it is a matter of regret, that ſhe profeſſed a religion different from what had been eſtabliſhed, and was obſtinately diſpoſed to adhere to it. For, with Affairs of the Church.

* Melvil, Memoirs, p. 105. Keith, p. 264. 266. † Balfour, Practicks, p. 670. Keith, p. 251. ‡ Erſkine, Inſtitute, p. 68. Keith, 250. || Melvil, Memoirs, p. 106.

this

Book I. 1564. this imperfection, it was impoſſible ſhe could ever acquire the entire confidence of the nation. A ſecret dread and diſtruſt of her intentions haunted continually her Proteſtant ſubjects; and their civil as well as religious rights were objects of their apprehenſion. Her bigotry too often gave a juſt alarm to their ſuſpicions; and the clergy ſuffering under dependence and beggary, were ready at all times to give way to invective and ſatire. This year in the Aſſembly of the church the old complaints were revived. The clergy inſiſted, that the Queen ſhould ratify the act which eſtabliſhed the reformation, that idolatry and the maſs ſhould be aboliſhed over the kingdom, and that a ſufficient fund ſhould be appointed for their maintenance. Upon theſe points a promiſe of ſatisfaction was given to them; and ſecretary Lethington employed his endeavours to ſooth them into the obſervance of a due reſpect of their ſovereign. He deſired them to conſider, that the liberty of conſcience was a very ſingular bleſſing; and he brought it to their remembrance, that the Queen's permiſſion of a religious eſtabliſhment at enmity with her own, was an expreſſive proof of the mildneſs of her government. A return of gratitude therefore might be expected for her kindneſs; and if they could not allow themſelves to be zealous in her intereſts, they might at leaſt diſcover for her a becoming reverence and attention. The manner in which they too often ſpoke of their Queen from the pulpit was reprobated by him as rude and indecent; and he required John Knox in particular to ſoften the terms of his prayer for her*, and not to inflame the people by

* It was conceived in theſe words. "O Lord, if thy good "pleaſure be, purge the heart of the Queen's majeſtie from "the venome of idolatry, and deliver her from the bondage "and

by dwelling too ſtrongly, and too frequently upon the limited obedience of the ſubject, and the doctrine of reſiſting the power of the prince. This reformer was not ſlow to defend himſelf. The freedoms taken by the prophets of old were appealed to by him as an apology for the coarſe language he employed againſt the Queen. But this defence however natural to an eccleſiaſtic, was of little weight; and could admit, at leaſt, of no application to him; ſince he did not evince himſelf to be a prophet, and could not point to his predictions and his miracles. Upon the tenet that the ſubject can reſiſt the power of the prince, he harangued with greater force and ability. This tenet, however, though highly proper in itſelf, is of infinite delicacy in its practice. For though it becomes a nation of men to oppoſe the tyranny of their magiſtrate or their ſovereign, they diſdain to take the alarm upon every trifling occaſion. Unlike to him and to his faction they are ſuperior to the meanneſs of perpetual complaint, and the reſtleſs littleneſs of ſuſpicion. They do not ſeek to buckle on their armour, till preſſed by an urgent calamity and danger, till their deareſt rights have been treated

" and thraldome of Satan, into which ſhe has been brought " up, and yet remains, for the lack of true doctrine; and " let her ſee, by the illumination of thy holy Spirit, that " there is no means to pleaſe thee, but by Jeſus Chriſt thy " only Son; and that Jeſus Chriſt cannot be found, but in " thy holy word; nor yet received, but as it preſcribes; " which is, to renounce our own wiſdom, and preconceived " opinion, and worſhip thee as it commands; that in ſo " doing, ſhe may avoid the eternal damnation which is or- " dained for all obſtinate and impenitent to thee; and that " this poor realm may alſo eſcape that plague and vengeance " which inevitably followeth idolatry, maintained againſt " thy manifeſt word, and the light thereof." Knox, p. 380. Calderwood, p. 34.

Book I. with inſult, and till a full provocation has been given to their importance and their paſſions *.

1564. The earl of Lennox was received by Mary with marks of a greater reſpect than were due to his condition, or to his merits. Men already conjectured that he was ſoon to ſtand in a nearer connexion with his ſovereign. Her attentive carriage to the father was interpreted as an incitement to the ambition of the ſon; and, though ſhe avoided all public mention of Darnley, it was yet ſuppoſed that ſhe was now fully reſolved to admit him to her bed. Her ſilence and apparent neglect were even deemed to be a trick of policy; and the eager curioſity of the nation directed itſelf to this new alliance. Lennox himſelf, though his abilities were ſlender, was not ſo deficient in penetration as not to take meaſures to advance the proſperity of his family. He paid his court to all the miniſters of Mary, the earl of Murray excepted, whoſe intentions and practices had drawn his ſuſpicion. He made them magnificent preſents. Lethington eſpouſed openly his intereſts. The duke of Chatellerault his ancient enemy dreaded his reſtoration as the certain overthrow of his own greatneſs; and the Queen employed her utmoſt addreſs to reconcile them. A ſource of diſunion leſs inveterate, indeed, but ſufficiently powerful to excite diſorders and miſchief, prevailed alſo between the earl of Lennox and the Houſe of Douglas. The lady Lennox, as the heir of her father the earl of Angus had a claim to his eſtate and honours. But the earl of Morton and the other friends of this family being ſolicitous to retain the earldom in the name of Douglas, were diſpoſed to ſet aſide her right of ſucceſſion upon the foundation of illegitimacy; her mother having obtained a di-

The return of the earl of Lennox.

* Knox, p. 378. 397. Keith, p. 532, 533.

vorce

vorce againſt her father. Mary conſulting their intentions in the manner the moſt agreeable to them, prevailed with the earl of Lennox to make his counteſs depart from her pretenſions, and to confirm the eſtate and honours of Angus to the male repreſentative. By a meaſure ſo polite and ſo conciliating, ſhe thought to draw to her their affections, and to induce them to enter with keenneſs into the party of the earl of Lennox and the lord Darnley *.

The meeting of the Parliament.

His reſtoration to his poſſeſſions and titles.

The way being thus prepared for the reſtoration of Lennox, Mary ſummoned a meeting of the three Eſtates. The management of his ſuit was entruſted to ſecretary Maitland; who ſpoke of the antiquity of his blood, the ſurname which he bore, the recommendations in his favour from Elizabeth, his relation to the Queen, his humble ſubmiſſions to her, her commiſeration of the decay of noble houſes, and her inclination to reſtore him to the privileges of a ſubject, to the enjoyment of his native country, and to the dignity of his ancient titles †. The act of attainder accordingly which had been paſſed againſt him was reverſed. After an exile of twenty years, he was publickly and honourably admitted to the poſſeſſion of his rank and his eſtates; and by a capricious deſtiny, was to give a King to the nation whoſe independency he had conſpired to deſtroy, and which had thrown him out as a rebel and a traitor ‡.

* Haynes, p. 381, 382. Keith, p. 268. † State Papers, vol. B. p. 280. This collection of unpubliſhed State Papers to which I am frequently to appeal, conſiſts of two large volumes in folio. It is valuable for many original letters and other important monuments of hiſtory; and by the generous care of Sir Alexander Dick it has been depoſited in the muſeum of the Antiquaries at Edinburgh. ‡ Hiſtory of the Eſtabliſhment of the Reformation in Scotland, p. 39. Keith, p. 355. 268.

Book I. Nor did this parliament confine itſelf entirely to the buſineſs of the reſtoration of the earl of Lennox. It made an ordinance, declaring the Queen to be of perfect age. It commanded that all infeftments of feu farms granted by the prelates of beneficiary poſſeſſions from the times of the reformation ſhould upon confirmations from the Queen be of as great legality as if they had received the ſanction of the Pope; and that without her confirmation no infeftments of church lands by whatſoever perſons they had been obtained, ſhould be of any force or value *. In compliance with articles preſented to the three Eſtates by the clergy, it was alſo ordained, that men of flagitious lives ſhould be firſt puniſhed by impriſonment, and then by an ignominious expoſition before the people; and the adoration of the maſs, except in the Queen's chapel, was made to infer the forfeiture of goods, lands, and life. Theſe laws, though flattering to the clergy, did not gratify their expectations; and in a new aſſembly held by them at this time, they gave way to their uſual outrages and lamentation †.

1564. 25th Dec.

1565. The arrival of Darnley in Scotland. February. While the princes of Europe were anxiouſly intereſting themſelves in the marriage of the Queen of Scots, the lord Darnley was preſented to her at the caſtle of Wemyſs in Fife. She was then upon a progreſs in that diſtrict, giving herſelf up to amuſements. In this gay humour of her mind, ſhe firſt caſt her eyes upon him. Nature had been laviſh to him of her kindneſs. He was tall of ſtature, and his countenance and ſhapes were beautiful and regular. The pleaſure with which he was received did not eſcape the penetration of the courtiers. Engaging manners and

* Black Acts, p. 181. † Keith, 268. 536. Appendix, p. 158.

arts

arts that allure, aided the impreſſion which had been made by his youth and perſon. Amidſt the frequent banquets with which he was entertained, and amidſt the maſks and dancing with which his arrival was celebrated, he ſhone with uncommon luſtre. The charm of his accompliſhments, the ſenſibilities of the Queen, and the unguarded openneſs of mirth and joy, were more powerful than intrigues and negociations. Love ſtole into her heart, and effaced every favourable thought of all her former ſuitors *.

The inſincerity of Elizabeth.

Mary informs her that ſhe is to marry Darnley.

After the ineffectual conference at Berwick, between the Commiſſioners of the two nations, Elizabeth did not deſiſt from urging the marriage of Mary with the earl of Leiceſter. She preſented by Randolph a letter to the Queen of Scots, in which ſhe intreated her to give a definitive anſwer to the propoſals of her deputies at Berwick. Mary, upon the condition of being declared the preſumptive heir of the Engliſh monarchy, conſented to be ruled by her. A new letter from Elizabeth aſſured her, that upon her marriage with Leiceſter, he ſhould be advanced to every honour in her power; and that her titles to England ſhould be treated with every mark of favour except that of a parliamentary declaration. This laſt point, added Elizabeth, cannot be touched upon till I am married, or till I ſhall expreſs publickly my determination never to marry. Struck with the inſolence, the ſelfiſhneſs, and the inſincerity of the Queen of England, and diſguſted with the delays in which ſhe had been involved, Mary felt a burſt of the keeneſt indignation. Yielding to her reſentments, ſhe reſolved to be abuſed no longer by

* Camden, p. 396. Buchanan, Hiſt. Rer. Scot. lib. xvii. Knox, p. 403. Melvil, Memoirs, p. 111.

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the tricks of negociation; giving way to the impulſes of tenderneſs, ſhe determined to take an early opportunity of carrying her wiſhes into execution. Her reſolutions were not to be ſhaken; and as Darnley was related to her in the forbidden degrees, ſhe ſent to Rome to procure a diſpenſation for their marriage *. To Elizabeth ſhe diſpatched Secretary Maitland to inform her of her determination to his advantage, and to gain, if poſſible, her conſent to the celebration of their nuptials †.

She reconciles the court of France to this ſtep.

The connexion of Mary with France induced her alſo to make known her intentions to that court; and her deſire to reconcile Charles IX. and Catharine de Medicis to her marriage was in proportion to the apprehenſions ſhe entertained of Elizabeth. To Caſtelnau, the French ambaſſador, ſhe detailed the motives which determined her to prefer the lord Darnley; and upon her earneſt ſolicitation, this miniſter ſent a courier to France to the King and the Queen Mother. His repreſentations were ample, and inſtructed them, that the treaty of marriage was too far advanced to be interrupted. Their ſurprize was greater than their diſpleaſure. For they were thus relieved not only from their fears of the alliance of Mary with the archduke of Auſtria, or the prince of Spain, but of their ſuſpicion of the too intimate union of this princeſs with the Queen of England. In their reply accordingly to Caſtelnau, they commanded him to expreſs their approbation of the intentions of the Queen of Scots; and to promote by his cares the antient amity of Scotland and France ‡.

* Camden, p. 396. Keith, p. 269. † Keith, Append. p. 97. ‡ Caſtelnau, p. 464. Daniel, Hiſt. de la France, tom. v. p. 843.

Mary,

1565.

Mary ſecure againſt any reſiſtance from France, and prepared for that of Elizabeth, found unexpected obſtacles to her marriage in the ambition of her nobles, and in the jealouſies of her people. All her arts to acquire the duke of Chatellerault to the party of the earl of Lennox were exerted to no purpoſe. The animoſities of their Houſes broke out with the greateſt violence. The duke deſerted the court, and few of his name repaired to it. The earl of Murray more attached to Elizabeth than to Mary, affected to promote the match with the earl of Leiceſter *. The earl of Lennox in return treated him openly with diſreſpect; and when the map of his ample poſſeſſions was ſhewn to the lord Darnley, this nobleman anticipating royalty, threatened a diminution of his manors. The earls of Athol and Caithneſs, the lords Ruthven and Hume advanced the intereſts of the lord Darnley; and the popiſh faction was ſtrenuous in his favour. The earls of Argyle and Eglington were hoſtile to him; and the Proteſtants execrated him as a Papiſt. Dangerous ferments were now riſing in the nation; and the young Queen amidſt dreams of felicity was diſturbed with prognoſtics fatal and diſaſtrous †.

An oppoſition is made by her own ſubjects to the match with Darnley.

The earl of Lennox had no talents for affairs. A limited capacity did not permit him to obſerve with diſtinctneſs the true line of his intereſt. Whimſical from pride, and impetuous from temperament, his activity while it rooted the reſentment of his enemies, was often offenſive to his friends. The lord Darnley was the heir of his imbecility and his paſſions; and the vanity he derived from his exterior accompliſhments, ſerved the more to expoſe him to ſcorn among nobles

The diſguſts of the nobles.

The importance of David Rizzio.

* Keith, Append. p. 159. † Keith, p. 272, 273.

Book I. 1565. who were fierce and independent. But a ſource of oppoſition, more violent than any imperfections of their own, roſe up to them in the attachment which they diſcovered to a perſon upon whom the Queen had, of late, beſtowed her favour with an imprudent prodigality. David Rizzio from a mean origin raiſed himſelf to a diſtinguiſhed eminence. He was born at Turin, where his father earned a precarious ſubſiſtence as a muſician. With no hereditary wealth, it was neceſſary that he ſhould be the artificer of his own fortune. Varieties of ſituation and adventure, poverty and misfortunes had taught him experience. In the train of the count de Morette the ambaſſador from the duke of Savoy, he had arrived in Scotland. The Queen deſirous to compleat her band of muſic, admitted him into her ſervice. In this humble ſtation he had the dexterity to attract her attention; and her French ſecretary falling into diſgrace from negligence and incapacity, he was promoted to diſcharge the duties of his office. A neceſſary and frequent admiſſion to her company afforded him now the fulleſt opportunity to recommend himſelf to her; and while ſhe approved his manners, ſhe was ſenſible of his fidelity and his talents. His mind, however, was not ſufficiently vigorous to bear with ſucceſs and proſperity. Ambition grew upon him with preferment. He interfered in affairs of moment, intruded himſelf into the conventions of the nobles at the palace, and was a candidate for greatneſs. The Queen conſulted with him upon the moſt difficult and important buſineſs, and entruſted him with real power. He was approached with adulation. His intereſt at the court was the moſt ſucceſsful; in law ſuits before the judges of the ſeſſion his recommendations were more effectual

than

than juſtice*; and all his favours being purchaſed, exorbitant wealth flowed in upon him. The ſuppleneſs, ſervility, and unbounded complaiſance which had characteriſed his former condition, were exchanged for inſolence, oſtentation, and pride. He exceeded the moſt potent barons in the ſtateline ſs of his demeanor, the ſumptuouſneſs of his apparel, and the ſplendour of his retinue. Inſtead of averting envy, he forced it upon him in all its bitterneſs. The nobles, while they deſpiſed the lowneſs of his birth, and deteſted him as a foreigner and a favourite, were mortified with his grandeur, and inſulted with his arrogance. Their anger and abhorrence were driven into fury; and while this undeſerving minion, to uphold his power, courted Darnley, and with officious aſſiduities advanced his ſuit with the Queen, he haſtened not only his own ruin, but laid the foundation of cruel outrages, and of public calamity †.

Rupture between Mary and the earl of Murray.

To the earl of Murray the exaltation of Rizzio, ſo offenſive in general to the nation, was humiliating in a more particular degree. To be forced to reſign all his conſequence to an upſtart of this kind, gave him a pang of ſorrow the moſt excruciating. His interference for the earl of Leiceſter, the partiality he entertained for Elizabeth, his connexions with ſecretary Cecil, and the favour he had ſhewn to Knox, had all contributed to create in Mary a ſuſpicion of his integrity. The practices of Darnley and Rizzio were thence the more effectual; and the fulleſt weight of their influence was employed to undermine his power. His paſſions and diſguſts were painfully violent; and in his capacious and unrelenting mind he meditated revenge, and re-

* Melvil, Memoirs, p. 108.

† Buchanan, Hiſt. Rer. Scot. lib. xvii. Melvil, p. 109.

volved

Book I. 1565. volved projects dark and treacherous. Mary, aware of her critical situation, was solicitous to add to her strength. Bothwel, who had been imprisoned for conspiring against the life of the earl of Murray, and who had escaped from confinement, was recalled from France; the earl of Sutherland, an exile in Flanders, was invited home to receive his pardon; and George Gordon, the son of the earl of Huntley, was admitted to favour, and was soon to be reinstated in the wealth and honours of his family *.

Queen Elizabeth opposes the marriage with Darnley.

When Maitland made known to Elizabeth the intentions of Mary, and solicited her consent to the match with the lord Darnley, that princess expressed the utmost astonishment and surprize. Although the scheme had been first suggested by herself †, and although Darnley was the person by

* Spotswood, p. 189. Buchanan, Hist. Rer. Scot. lib. xvii.

† Before Elizabeth proposed the earl of Leicester to Mary, she had thought of the lord Darnley as a fit husband for her; and this may be considered as a proof of her insincerity with regard to the match with the former nobleman. In a conversation she held with Sir James Melvil, before Randolph made mention of lord Robert Dudley to Murray and Lethington, she told him, that "she was resolved to "propose *two* persons for fit husbands unto Mary, whereby "their amity might best stand and increase." Melvil, p. 79. After lord Dudley had been proposed and objected to, she permitted the earl of Lennox to go to Scotland. "Now, "says Melvil, his eldest son, my lord Darnley was a lusty "young prince, and apparently was one of the *two* that "the queen of England had told me that she had in her "head to offer unto our Queen, as born within the realm "of England." p. 83. From the Memoirs of Castelnau the French ambassador, it is likewise evident, that the match with Darnley was first projected by Queen Elizabeth. "La "Reine d'Angleterre," says this intelligent statesman, "jetta les yeux sur un jeune seigneur de son royaume, pour "en faire un present à la Reine d'Escosse, lequel estoit fils "du comte de Lenox, appellé Henry Stuart milord d'Arlay, "que la comtesse sa mere qui estoit du sang royal d'Angle-

"terre,

by far the moſt acceptable to her of all the ſuitors of Mary, it correſponded with her inſidious policy to throw difficulties in the way of the marriage, to diſturb the adminiſtration of the Queen of Scots, and to encourage the diſquiets and diſſenſions of her ſubjects. The arts of the earl of Murray confirmed her in all theſe purpoſes, and influenced her jealouſies of the Scottiſh Queen. He inſinuated that the real deſign of Mary was to corroborate her titles to the crown of England by this alliance, to renew her old claim, and to re-eſtabliſh popery in her dominions *. Elizabeth aſſembling her privy council, ſubmitted to their conſideration the meſſage brought to her by Maitland. After the parade of repeated conferences and of long debates, her counſellors entering into her reſentments and prejudices, pronounced the match with Darnley to be unfit, unprofitable, and directly inconſiſtent with the friendſhip of the two Queens, and the tranquillity of the two nations. It was reſolved to defeat the intentions of Mary; and with this view ſtrong and vigorous meaſures

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" terre, avoit fait nourrir fort curieuſemnt, lui ayant fait " apprendre des ſa jeuneſſe à jouër du luth, à dancer, & " autres honneſtes exerciſes." Mem. ap. Jebb, p. 462. Sir Nicholas Throgmorton writing from Edinburgh to Sir William Cecil, has the following paſſage in one of his diſpatches after the communication of Elizabeth's remonſtrances to Mary againſt the marriage with the lord Darnley. " I " ſhould be ſorry if Demoniſer (who comes into Scotland) " ſhould be able to give this Queen intelligence that her " proceedings with lord Darnley are not ſo ill taken by her " majeſty and her council, as I pretended in all my nego- " ciations; for that would much hinder the purpoſe the " Queen would be at." Keith, p. 280. From a letter of Randolph's to Cecil it alſo appears, that the counteſs of Lennox had written to Mary, to let her know that Elizabeth's diſpleaſure with the marriage was full of affectation. Ibid.

* Camden, p. 396.

were

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were propoſed. To give the alarm to Scotland troops were to be marched to its frontiers; the garriſon of Berwick was to be reinforced; the counteſs of Lennox and her ſon Charles were to be taken into cuſtody; the earl of Lennox and the lord Darnley were to be ordered back into England under the penalty of forfeiting their eſtates and poſſeſſions; the Scottiſh faction oppoſing the marriage were to be protected; and the lady Catharine Gray * and the earl of Hartford her huſband were to receive countenance at court, as the rivals of the Queen of Scots in the ſucceſſion to the Engliſh monarchy. Immediately upon theſe proceedings, Elizabeth diſpatched Sir Nicholas Throgmorton to Mary, with full inſtructions not only to refuſe her conſent to the marriage with the lord Darnley, but to remonſtrate againſt it in terms the moſt expreſſive and alarming †.

Mutual intrigues of Mary, and the malcontents.

The diſquiets and perturbation of the Scottiſh nation were increaſing in extent and violence. When the earl of Bothwel arrived from France, the earl of Murray inſiſted with the Queen that he ſhould be brought to trial for having plotted againſt his life, and for having broke from the caſtle in which he had been confined. Bothwel accordingly received a ſummons to anſwer to the charges to be made againſt him. Upon the day of the trial the earl of Murray appeared with his retainers to the number of eight hundred ‡. Bothwel fled again into France. A

* She was the ſecond daughter of the duke of Suffolk.

† Keith, p. 275. Camden, p. 397.

‡ In a fragment of Randolph's diſpatches, ap. Keith, Append. p. 160. the followers of Murray are made to amount to five thouſand, which is ſurely a miſtake. Knox makes their number to be ſeven or eight hundred men; and this opinion ſeems to be more natural and probable. Hiſt. of the Reformation, p. 406.

proteſtation,

proteſtation, however, was made in his behalf, which imported, that his abſence proceeded from his inability to reſiſt ſo potent an enemy as the earl of Murray; and the Queen commanded the judge not to pronounce ſentence againſt him. Murray complained loudly of her partialities, improved to the utmoſt his connexions with her enemies, and engaged deeply in cabals with Randolph the Engliſh reſident. Darnley in the mean while preſſed his ſuit; and Rizzio was eager that the marriage ſhould be concluded before the Queen of England ſhould return an anſwer to the meſſage tranſmitted to her by Mary. For, it might happen, that the intrigues of Elizabeth might delay the match, or that her conſent might make it eaſy; and, in theſe caſes, the lord Darnley's obligations to him would be broken or impaired. The Queen, anxious to pleaſe her ſubjects, attempted to gain the earl of Murray to give his concurrence to her marriage. She urged him with the greateſt earneſtneſs to ſubſcribe a paper expreſſing a promiſe of conſent to it. But all her efforts were to no purpoſe. Many of her nobles, however, put their hands to this deed; and ſhe ventured to ſummon a convention of the Eſtates at Stirling, to whom ſhe opened the buſineſs of the match; and who agreed to approve her choice, under the reſtriction that the proteſtant religion ſhould continue to be the eſtabliſhment. She now thought of conferring high honours upon the lord Darnley, previous to the ceremonial of their nuptials *.

Throgmorton arrives in Scotland.

The news that Elizabeth was influenced with animoſity againſt the intentions of Mary arrived, while Throgmorton and Lethington were upon the road to Scotland. Mary diſguſted with the

* Knox, p. 402. 406. Spotſwood, p. 189. Keith, Append. p. 160.

endleſs

Book I. endleſs jealouſies, and the unwearied perfidiouſneſs of the Queen of England, ſent letters to her ſecretary commanding him back to London to inform her, that ſhe was no longer to attend to her councils in the matter of the marriage; and that ſhe would be governed in it ſolely by the advice of her parliament. Lethington, however, was averſe from carrying ſo ſtrong a meſſage, and chooſing rather to incur the diſpleaſure of his miſtreſs, continued his journey. Throgmorton haſtened to execute the buſineſs of his embaſſy. The lords Erſkine and Ruthven introduced him into the preſence of the Queen; and in the name of his ſovereign he expreſſed her entire diſlike and diſallowance of the proceedings with the lord Darnley. Mary repreſſing her indignation, informed him that matters were gone too far to be recalled; and that Elizabeth had no ſolid cauſe of diſpleaſure, ſince, by her advice, ſhe had fixed her affections, not upon a foreigner, but upon an Engliſhman; and ſince the perſonage ſhe favoured was deſcended of a diſtinguiſhed lineage, and could boaſt of having in his veins the royal blood of both kingdoms. Immediately after giving audience to Throgmorton ſhe created Darnley a lord and a knight. The oath of knighthood was adminiſtered to him. He was made a baron, and a banneret, and called lord of Armanagh. He was belted earl of Roſs. He then promoted fourteen gentlemen to the honour of knighthood *; and he did homage to the Queen, without

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Honours conferred on the lord Darnley.

* Sir Robert Stuart of Straighton, Sir Robert Stuart of Largis, Sir Alexander Stuart of Dalſwinton, Sir James Stuart of Down, Sir William Murray of Tullibardin, Sir William Stuart of Hawick, Sir Patrick Houſton of Houſton, Sir John Maxwel of Nether Pollock, Sir William Livingſton

out any reſervation of duty to the crown of England. His advancement to be duke of Albany was delayed for a little time; and when this circumſtance was communicated to him by the lord Ruthven his diſappointment and paſſion were ſo exceſſive, that he threatened to ſtab this nobleman with his dagger *. Book I. 1565.

Mary after taking theſe explanatory ſteps in favour of Darnley, thought it prudent to inſtruct Mr. Hay her principal maſter of Requeſts to go into England to ſoften the prejudices of Elizabeth by repreſenting her behaviour in the moſt favourable point of view. As the diſpenſation for her marriage had not yet arrived from Rome, ſhe even authorized this ambaſſador to inform the Queen of England that ſhe had delayed the ſolemnization of her marriage for a ſeaſon, from the hope that maturer conſideration would induce her to approve her meaning, and to be fully contented with her proceedings. Elizabeth, however, before this envoy could reach London, had received the diſpatches and intelligence of Throgmorton; and affecting the utmoſt ſeverity of averſion, ſhe ſent mandates to the earl of Lennox and the lord Darnley recalling them to England. Randolph preſſing their return reminded them, that the term of their licence was expired, held out to them the dangers of their ſituation, and ſpoke of the power and will of his miſtreſs to revenge their diſobedience. He excited their terror and ſadneſs; and amidſt the apologies they offered for themſelves, they often proteſted that the lady Lennox whom Elizabeth had taken Diſſimulation of the two Queens.

ſton of Kilſyth, Sir John Murray of Caldwell, Sir Robert Drummond of Carnoch, Sir James Hume of Fynlawis, Sir James Stirling of Kier, Sir William Ruthven of Baldenie. Keith, p. 281.

* Keith, p. 281. Append. p. 160.

into

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into cuſtody at London, was altogether innocent of the tranſactions into which they had entered during their reſidence in Scotland. Aſſuming a bolder conduct, this reſident even carried his inſulting remonſtrances to the Queen of Scots; deſiring her to conſider the injury which might accrue to herſelf and to her country by detaining in her dominions the ſubjects of Elizabeth in oppoſition to her expreſs deſire and pleaſure *.

Criminal purpoſes of the earl of Murray.

The day † appointed for the aſſembly of the Parliament which was finally to decide all matters on the ſubject of the marriage, was now approaching. The earl of Murray encouraged by the apparent firmneſs of Elizabeth, goaded on by ambition, and alarmed with the approbation beſtowed by the convention of the Eſtates on the Queen's choice of lord Darnley, perceived that the moment was at hand when a deciſive blow ſhould be ſtruck. To inſpirit the reſentments of his friends and to juſtify, in ſome meaſure, the violence of his projects, he affected to be under apprehenſions of being aſſaſſinated by the lord Darnley. His fears were ſounded abroad; and he avoided to go to Perth, where he affirmed that the plot againſt him was to be carried into execution ‡. He courted the enemies

* Keith, p. 286, 287. † 20 July.

‡ It is ſaid by ſome authors, that Darnley had actually conſpired againſt Murray; but their opinion is ſupported by no evidence of any authority. Buchanan, lib. xvii. aſſerts the reality of the conſpiracy; but he was the partizan of Murray. It is aſſerted by Randolph; but this reſident was no leſs friendly to him, and was ſtrenuous in the intereſts of Elizabeth. Keith, p. 287. It is remarkable, at the ſame time, that their accounts of the conſpiracy are inconſiſtent and contradictory. The complaints indeed of Murray were loud, that his life was in danger. Theſe complaints, however, are no proof of the guilt of Darnley. They might be made with a view to advance his own ends; and that the conſpiracy

mies of Darnley with unceaſing aſſiduity; and he united to him in a conſederacy the duke of Chatel- Book I. 1565.

conſpiracy was merely an invention may appear by attending to its hiſtory and circumſtances.

The report that Darnley had conſpired againſt Murray was circulated widely through the kingdom. Its effect was to add to the impopularity of this nobleman, and by implication to throw an odium upon the Queen. Mary underſtanding it in this ſenſe commanded Mr. Hay her maſter of Requeſts and Mr. Crichton her advocate to go to the earls of Murray and Argyle, and to require them to make a regular declaration of the form and manner of the conſpiracy, and to give up the name of the reporter; with this aſſurance, that if they delayed to take theſe ſteps towards a legal inveſtigation of the matter, they ſhould be held to be the authors and the fabricators of a report ſo injurious to the earl of Roſs. Records in Keith, p. 108. The earl of Murray profeſſed a readineſs to declare the truth of the conſpiracy, if a ſecurity ſhould be given to him of his life. A ſecurity accordingly of his life was immediately given by the Queen. The lords too of the privy council, and the other nobles who were preſent when this protection was granted to him pledged their honour, credit, and faith, that he might repair to her in ſafety, and communicate all the intelligence in his power. He refuſed, notwithſtanding, to preſent himſelf; but ſent a declaration in writing, which was judged by the Queen and the privy council to be inſufficient and unſatisfactory. A charge by an officer of arms was now executed againſt him; commanding him to appear perſonally before the Queen, and to make a complete declaration of the truth; and certifying him, that if he failed in doing this juſtice to the nation and to himſelf, the rigour of the law would be exerted to compel him to compliance. This charge he alſo diſobeyed. He then expreſſed to lord Erſkine and to Sir John Maxwell of Teiregles, his earneſt deſire to demonſtrate to the Queen the truth of the conſpiracy; and he requeſted a new protection. A new protection was granted to him. The Queen, upon the word of a prince gave the aſſurance of ſafety and defence to himſelf and to fourſcore perſons of whatever eſtate, degree, and condition whom he might chooſe to accompany him. The lords of the privy council and the nobility about her perſon promiſed him alſo upon their faith and honour to afford him and his retinue their protection and defence in repairing to and departing from the Queen. Records in Keith, p. 109, 110. He ſtill, however,

Book I. 1565. Chatelherault, and the earls of Argyle, Rothes, and Glencairn. It was not the ſole object of their aſſociation to oppoſe the marriage. They engaged in more criminal enterprizes. They meditated the death of the earl of Lennox and the lord Darnley; and while the Queen was upon the road to Calendar Palace to viſit the lord Livingſton they propoſed to intercept her and to hold her in captivity. In this ſtate of her humiliation, Murray was to advance himſelf into the government of the kingdom, under the character of its regent. But Mary having received intelligence of their conſpiracy, the earl of Athol and the lord Ruthven raiſed ſuddenly three hundred men to protect her in her journey. Defeated in this ſcheme, the earl of Murray and his aſſociates did not relinquiſh their cabals. They thought of new atchievements; and the nation was filled with alarms, ſuſpicions, and terror *.

Amidſt

however, neglected to make his appearance; and he was ſoon to be in open rebellion againſt his ſovereign.

By a diſpatch of Randolph's to ſecretary Cecil it is likeways obſervable, that the earl of Lennox and lord Darnley were much diſpleaſed with the report of the conſpiracy againſt the earl of Murray; that the former offered to fight any man, who ſhould dare to avow the truth of it; and that they jointly ſent a meſſage to Murray, proteſting their innocence. Keith, p. 302.

* That the earl of Murray had conſpired againſt the Queen and Darnley there is ſufficient evidence. It is only doubtful whether Darnley was to be murdered, or given up to the Queen of England. Perhaps the conſpirators were to be determined in the preference of any of theſe expedients by circumſtances and accident; or perhaps it was their firſt intention to convey Darnley to England, and their laſt to aſſaſſinate him. From the place where Mary and her company were to be aſſaulted the conſpiracy has obtained the appellation of the Raid of Baith. Its reality is acknowledged by Sir James Melvil, who was in Scotland at the time; and it is to be gathered from him, that the conſpirators were to convey

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Seditious practices.

Affairs of the church

Amidſt the arts employed by the Scottiſh malcontents to inflame the animoſities of the nation, they forgot not to inſiſt upon the dangers which threatened the proteſtant religion from the advancement of lord Darnley, and from the rupture that muſt enſue with England. The earl of Murray had reconciled himſelf to Knox; and this reformer and the other preachers exerted all their influence over the paſſions of the people. Letters were every where diſperſed among the faithful, reminding them of what the eternal God had wrought for them in the abolition of idolatry; and admoniſhing them to oppoſe the reſtoration of the maſs. A ſupplication was preſented to the Queen complaining of idolaters, and inſiſting upon their puniſhment. In the preſent juncture of affairs it was received with unuſual reſpect; and Mary inſtructed the popiſh

convey Darnley to England. Memoirs, p. 112. It is certain, that the conſpirators acted with Randolph the Engliſh Reſident, to know if the lord Lennox and Darnley would be received at Berwick, if they ſhould be delivered up to the governor of that place; and his anſwer was explicit, and to their purpoſe. Keith, p. 290. The Queen took precautions to defend herſelf againſt a ſurprize or an aſſault. The expences of Randolph at this time were very great; and it is probable, that his money was diſpoſed of in buying partizans againſt Mary, and for the earl of Murray. Ibid. The character of Murray, his turbulence at this juncture, and the inſurrection he was immediately to excite againſt the Queen and the government are all illuſtrative of the conſpiracy. And the earls of Argyle and Rothes, with the lord Boyd, who were parties in the plot, actually confeſſed in an after period, not only its exiſtence, but that its purpoſes were to ſlay the lords Lennox and Darnley, and the other nobles in the company of the Queen, to detain the Queen herſelf in captivity during her life, and to beſtow the government on the earl of Murray. Goodall, vol. i. p. 66. It is alſo to be obſerved, that in the year 1568, when the great body of the Scottiſh nobles had occaſion to inquire into the conduct of the earl of Murray, they maintained the reality of this conſpiracy. Goodall, vol. ii. p. 358, 359.

Book I. 1565. ecclesiastics to abstain from giving offence of any kind to the protestants. A priest, however, having celebrated the mass was taken by the brethren, and exposed to the insults and fury of the populace at the Market place of Edinburgh, in the garments of his profession, and with the chalice in his hand; and the Queen having given a check to this tumultuous proceeding, the protestants, rising in their wrath, were the more confirmed in the belief that she meant to overthrow their religion. The clergy, the most learned and able, held frequent consultations together; and while the nation was disturbed with dangerous ferments, the General Assembly was called to deliberate upon the affairs of the church. Their hope of success being proportioned to the difficulties in the situation of the Queen, they were the less scrupulous in forming their resolutions; and the commissioners, whom they deputed to her, were ordered to demand a parliamentary ratification of their desires.

They insisted, that the mass with every remain whatsoever of popery should be universally suppressed throughout the kingdom; that in this reformation, the Queen's person and household should be included; and that all papists and idolaters should be punished upon conviction according to the laws. They contended that persons of every description and degree should resort to the churches upon Sunday, to join in prayers and to attend to exhortations and sermons; that an independent provision should be assigned for the support of the present clergy, and for their successors; that all vacant benefices should be conferred upon persons found to be qualified for the ministry upon the trial and examination of the superintendants; that no bishoprick, abbey, priory, deanery, or other living having many churches,

churches, ſhould be beſtowed upon a ſingle perſon; but that the plurality of the foundation being diſſolved, each church ſhould be provided with a miniſter; that the glebes and manſes ſhould be allotted for the reſidence of the miniſters, and for the reparation of churches; that no charge in ſchools or univerſities, and no care of education, either public or private, ſhould be entruſted to any perſon who was not ſound and able in doctrine, and who was not approved by the ſuperintendants; that all lands which of old had been devoted to hoſpitality ſhould again be made ſubſervient to it; that the lands and rents which formerly belonged to the monks of every order, with the annuities, alterages, obits, and the other emoluments, which had appertained to prieſts, ſhould be employed in the ſuſtentation of the poor, and the upholding of ſchools; that all horrible crimes, ſuch as idolatry, blaſphemy, breaking of the Sabbath, witchcraft, ſorcery, inchantment, adultery, manifeſt whoredom, the keeping of brothels, murder, and oppreſſion, ſhould be puniſhed with ſeverity; that Judges ſhould be appointed in every diſtrict with powers to pronounce ſentences and to execute them; and in fine, that for the eaſe of the labouring huſbandmen, ſome order ſhould be deviſed concerning a reaſonable payment of the tythes*. Book I. 1565.

To theſe requiſitions the Queen made an anſwer full of moderation and humanity. She was ready to agree with the three Eſtates in eſtabliſhing the reformed religion over the ſubjects of Scotland; and ſhe was ſteadily reſolved not to throw into hazard the life, the peace, or the fortune of any perſon whatſoever upon account of his opinions. As to herſelf and her houſhold, ſhe was perſuaded,

* Knox, p. 403. 409.

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Book I. 1565. that her people would not urge her to adopt tenets in contradiction to her conſcience, and thereby involve her in remorſe and uneaſineſs. She had been nouriſhed and brought up in the Romiſh faith; ſhe conceived it to be founded on the word of God; and ſhe was deſirous to continue in it. But, ſetting aſide her belief and religious duty, ſhe ventured to aſſure them, that ſhe was convinced from political reaſons, that it was her intereſt to maintain herſelf firm in the Roman Catholic perſuaſion. By departing from it ſhe would forfeit the amity of the King of France, and that of other princes who were now ſtrongly attached to her; and their diſaffection could not be repaired or compenſated by any new alliance. To her ſubjects ſhe left the fulleſt liberty of conſcience; and they could not ſurely refuſe to their ſovereign the ſame right and indulgence. With regard to the patronage of benefices it was a prerogative and property which it would ill become her to violate. Her neceſſities and the charge of her royal dignity required her to retain in her hands the patrimony of the crown. After the purpoſes, however, of her ſtation, and the exigencies of government were ſatisfied, ſhe could not object to a ſpecial aſſignment of revenue for the maintenance of the miniſtry; and on the ſubject of the other articles which had been ſubmitted to her, ſhe was willing to be directed by the three Eſtates of the kingdom, and to concur in the reſolutions which ſhould appear to them the moſt reaſonable and expedient *.

The clergy in a new aſſembly or convention, expreſſed a high diſpleaſure with this return to their addreſs. They took the liberty to inform the Queen, that the doctrines of the reformation

* Spotſwood, p. 190, 191. Knox, p. 411.

which

which ſhe had refuſed to adopt, were the religion which had been revealed by Jeſus Chriſt, and taught by the apoſtles. No religion upon the face of the earth could be compared to it. It put to ſhame the impiety of the Turks, the blaſphemy of the Jews, and the vain ſuperſtition of the Papiſts. Popery was of all perſuaſions, the leaſt alluring, and had the feweſt recommendations. In antiquity, conſent of people, authority of princes, and number of proſelytes, it was plainly inferior to Judaiſm. It did not even reſt upon a foundation ſo ſolid as the doctrines of the Alcoran. They required her, therefore, in the name of the eternal God, to embrace the means of attaining the truth, which were offered to her in the preaching of the word, or by the appointment of public diſputations between them and their adverſaries. The terrors of the maſs were placed before her in all their deformity. The ſayer of it, the action itſelf, and the opinion expreſſed in it were all pronounced to be equally abominable. To hear the maſs, or to gaze upon it, was to commit in one unfortunate moment, the complicated crimes of ſacrilege, blaſphemy, and idolatry. Her delicacy in not renouncing her opinions from the apprehenſion of offending the King of France and her other allies, they ridiculed as impertinent in the higheſt degree. They told her that the true religion of Chriſt was the only means by which any confederacy could endure; and that it was far more precious than the alliance of any potentate whatſoever, as it would bring to her the friendſhip of the King of Kings. As to patronages being a portion of her patrimony, they intended not to defraud her of her rights; but it was their judgment, that the Superintendants ought to make a trial of the qualifications of candidates for the miniſtry; and as

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it was the duty of the patron to preſent a perſon to the benefice, it was the buſineſs of the church to manage his inſtitution or collation. For without this reſtraint there would be no ſecurity for the fitneſs of the incumbent; and if no trials or examinations of miniſters took place the church would be filled with miſrule and ignorance. Nor was it right or juſt that her Majeſty ſhould retain to herſelf any part of the revenue of benefices; as it ought to be all employed to the uſes of the clergy, for the purpoſes of education, and for the ſupport of the poor. And, as to her opinion, that a ſuitable aſſignment ſhould be made for them, they could not but thank her with reverence; but they begged to ſolicit and importune her to condeſcend upon the particulars of a proper ſcheme for this end, and to carry it into execution; and that taking into a due conſideration the other articles of their demands, ſhe would ſtudy to comply with them, and to do juſtice to the religious eſtabliſhment of her people *.

The moderation of the Queen.

From the panick fears of the people about their religion, diſturbances and inſurrections were unavoidable; and before Mary had given her anſwer to the petitions or addreſs of the clergy, the proteſtants to a formidable number had marched to St. Leonard's Craig; and dividing themſelves into companies, had choſen captains to command them. But the leaders of this tumult being apprehended and committed to cloſe cuſtody, it ſubſided by degrees; and the Queen upon the interceſſion of the magiſtrates of Edinburgh, inſtead of bringing them to trial, gave them a free pardon, making them objects of her mercy. To quiet, at the ſame time, the apprehenſions which had gone abroad, and to contro-

Her proclamations to ſupport the reformed religion.

* Keith, p. 541. 549, 550.

vert

vert the inſidious reports which had been induſtriouſly ſpread of her inclination to overturn the reformed doctrines, ſhe repeatedly iſſued proclamations, aſſuring her ſubjects that it was her fixed determination not to moleſt or diſturb any perſon whatſoever upon account of his religion or conſcience; and that ſhe had never preſumed even to think of any innovation that might endanger the tranquillity, or do a prejudice to the happineſs of the commonwealth *. Book I. 1565.

The perfidiouſneſs of the earl of Murray.

While Mary was conducting her affairs with diſcernment and ability, the earl of Murray and his confederates continued their conſultations and their intrigues. After their diſappointment in the conſpiracy againſt the Queen and the lord Darnley, they perceived that their only hope of ſucceſs or ſecurity depended upon Elizabeth; and as Randolph had promiſed them her protection and aſſiſtance, they ſcrupled not to addreſs a letter to her explaining their views and ſituation. The pretences of their hoſtility to their ſovereign upon which they affected to inſiſt, were her ſettled deſign to overturn the proteſtant religion, and her rooted deſire to break all correſpondence and amity with England. To prevent the accompliſhment of theſe purpoſes, they ſaid, was the object of their confederacy; and with her ſupport and aid they did not doubt of being able to advance effectually the emolument and advantage of the two kingdoms. In the preſent ſtate of their affairs they applied not, however, for any ſupply of her troops. An aid from her treaſury was now only neceſſary to them; and they engaged to beſtow her bounty in the manner the moſt agreeable to her inclinations and her intereſts. The pleaſure with which Elizabeth receiv-

* Knox, p. 410. 412. Keith, Append. p. 106, 107. 109, 110.

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ed their application was equal to the averſion ſhe had conceived againſt the Queen of Scots. She not only granted to them the relief they requeſted, but aſſured them by Randolph of her eſteem and favour, while they ſhould continue to uphold the reformed religion, and the connexion of the two nations. Flattered by her aſſurances and generoſity they were ſtrenuous to gain partizans, and to diſunite the friends of their ſovereign; and while they were ſecretly preparing for rebellion, and for trying their ſtrength in the field, they diſſeminated among the people the tenets, that a papiſt could not legally be their King, that the Queen was not at liberty of herſelf to make the choice of a huſband, and that in a matter ſo weighty ſhe ought to be entirely directed by the determination of the three Eſtates aſſembled in Parliament *.

The deceitful behaviour of Queen Elizabeth.

Elizabeth, at the ſame time, carrying her diſſimulation to the moſt criminal extremity, commanded Randolph to aſk an audience of Mary; and to counſel her to nouriſh no ſuſpicions of the earl of Murray and his friends, to open her eyes to their ſincerity and honour, and to call to mind, that as their ſervices had hitherto preſerved her kingdom in repoſe, her jealouſies of them might kindle it into combuſtion, make the blood of her nobles to flow, and caſt into hazard her perſon and her crown. Full of aſtoniſhment at a meſſage ſo rude and ſo improper, but ſupporting her dignity and her ſpirit, the Queen of Scots deſired him to inform his miſtreſs, that ſhe required not her inſtructions to diſtinguiſh between patriotiſm and treachery, that ſhe was fully ſenſible when her will or purpoſe was reſiſted or obeyed, and that ſhe poſſeſſed a power which was

* Camden, p. 397. Keith, p. 294. 296.

more

more than ſufficient to repreſs and to puniſh the enormities and the crimes of her ſubjects. The Engliſh reſident went now to the earl of Lennox and the lord Darnley, and charged them anew to return to England. The former expreſſed an apprehenſion of the ſeverity of his Queen, complained of her rigorous treatment of his counteſs, and ſought an aſſurance of her favour before he could venture to viſit her dominions. The latter, exerting greater fortitude, told him, that he acknowledged no duty or obedience, but to the Queen of Scots. The reſident treating this anſwer as diſreſpectful to Elizabeth, turned his back upon the lord Darnley, and retired without making any reverence, or bidding him an adieu *.

The revolt of the earl of Murray.

Mary ſummons her vaſſals to arms.

The behaviour of Elizabeth, ſo fierce and ſo perfidious, was well calculated to confirm all the intentions of Mary; and this doubtleſs was one of the motives with which ſhe was actuated. But while the Queen of Scots was eager to accompliſh her marriage, ſhe was not inattentive to the riſing troubles of her country. The parliament which ſhe had appointed could not now be celebrated. It was therefore prorogued to a more diſtant day; and the violence of the times did not then permit it to aſſemble. By cloſe letters ſhe invited to her, with all their retainers, the moſt powerful and the moſt eminent of her ſubjects. Bothwel was recalled anew from France; and by general proclamations ſhe ſummoned to her ſtandard the united force of her kingdom. The Caſtle of Edinburgh was likewiſe provided amply with ſtores and ammunition, that in the event of misfortunes, it might afford her a retreat and defence. The alacrity with which her

* Keith, p. 303, 304.

ſubjects

Book I. 1565. ſubjects flocked to her from every quarter, informed her of her power and popularity; and while it ſtruck Murray and his adherents with the danger to which they were expoſed, it declared to them the opinion entertained by the nation of the iniquity and the ſelfiſhneſs of their proceedings *.

She marries lord Darnley. Surrounded by a people attached to her perſon, zealous of her intereſts, and with their ſwords in their hands to protect her againſt foreign and domeſtic enemies, Mary, blooming with youth, and in the ſplendour of beauty, gave her hand to lord Darnley, who had been previouſly created duke of Albany †. The ceremony of the marriage was performed after the manner of the Romiſh communion by John Sinclair, dean of Reſtalrig, and biſhop of Brechin, in the chapel of Holyrood houſe, between the hours of five and ſix in the morning. When the nuptial knot was tied, the Queen went to maſs, by herſelf, unattended by the King. During the entertainment of this memorable day, ſhe was ſerved by the earl of Athol as ſewer, the earl of Morton as carver, and the earl of Crawford as cup-bearer; and Darnley was attended by the earls of Eglington, Caſſilis, and Glencairn. The day before the ceremonial was performed a proclamation was publiſhed, commanding him to be ſtyled King of the realm, and that all letters after their marriage ſhould be directed in the names of her huſband and herſelf. The day after it, a new proclamation confirmed this act; and he was pronounced to be King by the ſound of trumpets,

* Knox, p. 313, 414. Keith, p. 298, 299. 302. 305.
† This creation took place upon the 20th day of July. Keith preface, p. xi.

and

and aſſociated with the Queen in her govern- Book I.
ment *. His power correſponded with this title; 1565.
his retinue grew in ſplendour; and ſhe was diſ-
poſed to reſign herſelf to his direction with the
moſt unbounded complaiſance †.

* Anderſon. Collections, vol. 1. p. 34.

† It appears a remarkable circumſtance, that Mary was married in a ſuit of deep mourning. This fact is told by Knox, p. 415. It is related alſo by Randolph in a letter to the earl of Leiceſter, in which he deſcribes the marriage of the Queen of Scots; and the account of this reſident is ſo curious, that I cannot but tranſcribe it for the entertainment of my readers.

'The manner of the marriage was in this ſort; upon 'Sunday in the morning between five and ſix, ſhe was con-'veyed by divers of her nobles to the chapel; ſhe had upon 'her back the great *mourning gown of black*, with the great 'mourning hood, not unlike unto that which ſhe wore the 'doleful day of the burial of her huſband: ſhe was led into 'the chapel by the earls of Lennox and Athol, and there 'ſhe was left until her huſband came, who alſo was con-'veyed by the ſame lords; the miniſter, prieſts two, do 'there receive them, the bands are aſked a third time, and 'an inſtrument taken by a Notour that no man ſaid againſt 'them, or alledged any cauſe why the marriage might not 'proceed. The words were ſpoken, the rings which were 'three, the middle a rich diamond, were put upon her 'finger; they kneel together, and many prayers ſaid over 'them, ſhe tarrieth out the maſs, and he taketh a kiſs, and 'leaveth her there, and went to her chamber, whither with-'in a ſpace ſhe followeth; and being required, according 'to the ſolemnity, to caſt off her cares and leave aſide 'thoſe ſorrowful garments, and give herſelf to a more ple-'ſant life, and after ſome pretty refuſal, more I believe for 'manner ſake than grief of heart, ſhe ſuffereth them that ſtood 'by, every man that could approach, to take out a pin, 'and ſo being committed to her ladies, changed her gar-'ments, but went not to bed, to ſignify to the world, that 'it was not luſt that moved them to marry, but only the 'ſecurity of her country, not, if God will, long to leave 'it deſtitute of an heir. Suſpicious men, or ſuch as are 'given of all things to make the worſt, would that it ſhould 'be believed, that they knew each other before that they 'came there; I would not your lordſhip ſhould ſo believe it, 'the likelihoods are ſo great to the contrary, that if it were

'poſſible

Book I. 'poſſible to ſee ſuch an act done, I would not believe it.'
Robertſon's Appendix, p. 289.

1565. I pretend not to be able to give any reaſon for the cuſtom of being married in *black*. Perhaps in France this colour was not uniformly connected with grief and ſorrow. At leaſt we know, that in that country women of rank in old times, upon loſing their huſbands, expreſſed their grief and mourning by clothing themſelves in *white* garments. 'Sous 'le régne de Henry iii. on appelloit encore *reines blanches* les 'reines veuves de nos Roi. Henry iii. en arrivant à Paris 'alla ſaluer *la reine blanche*, dit l'Etoile: c'etoit Elizabeth 'd'Auſtriche, veuve de Charles ix.' St. Foix, Eſſais Hiſtoriques ſur Paris, tome v. p. 6.

THE

THE HISTORY OF SCOTLAND.

BOOK II.

THE extreme love of Mary for the lord Darnley, amidſt the profuſion of honours beſtowed upon him, did not permit her to perceive that her royal proclamation exalting him to the dignity of a King, was an infringement of the conſtitution of her realm. In the preſent ſituation of her affairs, it is not probable, however, that ſhe intended to ſtrike a blow againſt the rights of her people; and ſhe might be urged to this precipitate tranſaction by the partial counſels of David Rizzio, and the preſſing importunities of the lord Darnley himſelf. The earl of Murray and the malcontents founded every where their complaints, aſſerting that the liberties of the nation were in danger, remonſtrating that a King was impoſed upon the people without the advice of the three Eſtates, and calling to the nation to arm itſelf and to reſiſt the beginnings of tyranny. The ſolemnization of the marriage

1565. The attention of the Queen to Darnley.

Practices of the earl of Murray, and the malcontents.

Book II. 1565. marriage before a Roman Catholic altar, and according to the Rites of the Romiſh faith, ſpread alſo an alarm among the more zealous partizans of the reformation. It was in vain that Darnley, to gain popularity, went to the high church of Edinburgh, and ſeating himſelf upon a throne, gave his authority to the reformed doctrines. John Knox, who was the paſtor of this church, diſregarding his condeſcenſion, was forward to embrace ſo public an opportunity of exerciſing himſelf in obloquy and inſult. He exclaimed with bitterneſs from his pulpit againſt the government of wicked rulers, and informed the aſtoniſhed prince, that, upon account of the ingratitude and ſins of the people, it was uſual for the Almighty to commit them to the ſcourge and oppreſſion of boys and women. A report was circulated that the Roman Catholic religion was to be re-eſtabliſhed by law, and that David Rizzio was a penſioner of Rome; and theſe ſuſpicions received a confirmation from the certain intelligence which arrived about this time, that the Pope had ſent eight thouſand crowns in gold as a preſent to the Queen. The veſſel which carried this gift, was ſtranded on the coaſt of England, within the territories of the earl of Northumberland; and Sir James Melvil was deputed to him to receive it. This nobleman, however, claimed the money as his property, and founded his right upon an ancient charter in the Norman language, which he could not read, and which Sir James Melvil underſtood as little *.

Mary acts with vigour againſt the rebels. But though the malcontents were already in arms, and were active in adding to their faction, yet their ſucceſs bore no proportion to their hopes and aſſiduity. The majority of the people were

* Buchanan, Hiſt. Rer. Scot. lib. xvii. Knox, p. 416. Melvil, Memoirs, p. 114.

confident

confident of the good intentions of their ſove- Book II.
reign; an averſion was entertained againſt the
practices of Elizabeth; and it was known that 1565.
the diſcontented nobles were animated by the diſhonourable motives of hatred, envy, and ambition. The Queen was ſenſible that ſhe could not diſappoint their meaſures with too much expedition. She interrupted the paſtimes and banquets with which her marriage was celebrated, and exchanged them for war. The earl of Murray, the leader of the rebels, was denounced a traitor. Similar ſteps were taken againſt the earl of Rothes, Kircaldy of Grange, the tutor of Pitcur, and other gentlemen. An intimation of their danger was conveyed to the duke of Chatellerault and the earl of Argyle; and an open proclamation prohibited all her ſubjects under the penalty of treaſon from holding any communication with the earl of Murray and the malcontents, and from ſupplying them with aſſiſtance or proviſion. Amidſt theſe precautions, Mary, to convince this nobleman of the firmneſs of her purpoſe, paid a particular attention to his greateſt enemies, to the earl of Bothwel, the earl of Sutherland, and George lord Gordon; and ſtill farther to ſtrengthen her party, ſhe created the lord Erſkine earl of Marre, and advanced the lord Fleming to be chamberlain of Scotland *.

Embaſſy from England.

Elizabeth, in the mean time, who correſponded with the diſcontented nobles, and was willing to loſe no opportunity of embroiling the affairs of the Queen of Scots, diſpatched to her Mr. Tamworth, a gentleman of her privy chamber, with an embarraſſing meſſage. Mary conjecturing the purpoſe of this embaſſy, refuſed to admit him into her preſence; but he was allowed to

* Keith, p. 309, 310.

Book II. communicate his inſtructions in writing. They conſiſted of expoſtulations on the topic of her marriage, and upon her diſregard of the amity of England; of complaints of the detention of the earl of Lennox and the lord Darnley; of counſels to her not to diſguſt her proteſtant ſubjects by innovations upon the reformation; and of an admonition to receive into favour the earl of Murray, whoſe integrity and zeal in her ſervice, Elizabeth affected to extol in fervent and expreſſive terms. It was not difficult for Mary to reply to a meſſage ſo full of hypocriſy and diſreſpect; and while ſhe warmly vindicated her conduct, ſhe expreſſed a moſt particular diſapprobation of Elizabeth's intereſting herſelf in the fate of the earl of Murray, and in the concerns of her ſubjects. Tamworth, diſpleaſed with the little attention that was paid to him, gave a looſe to the forward and talkative diſpoſition, which upon this occaſion, it is ſaid, had recommended him to Elizabeth as a proper envoy to Mary. He affected in his private diſcourſes to inſinuate aſperſions againſt the Queen of Scots, and againſt the title of Darnley to be King. A ſafe conduct, accordingly, ſubſcribed by Darnley, being offered to him he would not accept it, and took the freedom to ſet out on his journey without any warrant. But the lord Hume ſtopping him at Dunbar, carried him to Hume-Caſtle, where he detained him a priſoner for ſome days. To Randolph, the Engliſh reſident whom Elizabeth had enjoined to aſſiſt Tamworth, and whoſe activity was turbulent, Mary exhibited alſo the marks of her diſpleaſure. He was informed that ſhe was no ſtranger to his cabals with her diſcontented ſubjects, and that if he ſhould continue in his ſeditious practices, a guard would be put upon

1565.

upon him to prevent his machinations, and to admoniſh him of his criminality *. Book II.

1565.

But while the Queen of Scots exerted this reſolution and fortitude, ſhe annexed to her anſwer to the inſtructions of Tamworth, a propoſal expreſſive of an ardent deſire to maintain an amity and friendſhip with England. She aſſured Elizabeth that ſhe was ready to enter into engagements never to diſturb her titles to her kingdom, or to atchieve any deed prejudicial to the lawful heirs of her body; never to practiſe any device with her ſubjects, or to maintain any improper intercourſe in her kingdom; never to contract any foreign alliance to her detriment; and never to attempt any infringement of the laws, religion, or liberties of England in the event of her ſucceſſion to it. Her moſt anxious wiſh ſhe affirmed to be the eſtabliſhment of a perpetual union for the honour and emolument of the two realms; and upon the part of Elizabeth the ſtipulations ſhe required were conſiſtent and equitable. She deſired, that ſhe might be declared by law to be her ſucceſſor to the crown of England in the default of heirs of her body; and that upon her own death, and the failure of iſſue, the inheritance ſhould go to Margaret counteſs of Lennox, the mother of the King her huſband, and to her deſcendants in a regular deſtination, and according to the laws of God and nature. It was alſo her requeſt that Elizabeth ſhould abſtain from holding any intelligence within her kingdom to her prejudice; from affording protection and aſſiſtance to the perſons and the views of her ſubjects whom turbulence and ambition had ſeduced from their duty and allegiance; and from acceding to any league or confederacy with diſtant powers in oppoſition to

Propoſal by Mary to Elizabeth.

* Keith, p. 311. Append. p. 99.

Book II. 1565.

the dignity and the intereſts of Scotland. Theſe advances to a laſting cordiality were highly honourable to Mary; but they ſuited not the purpoſes of Elizabeth, who, by an inſidious policy, was inclined to involve the matter of the ſucceſſion to her in a myſterious ſilence and uncertainty *.

Mary takes the field againſt the rebels.

They take refuge in England.

The artifices of Elizabeth as they could not impoſe upon Mary, did not reſtrain her from executing her reſolutions againſt the earl of Murray and his adherents. She put herſelf at the head of a conſiderable army; and the earl of Murray, whom ſhe wiſhed to ſurprize in Fife, retired with his followers into the faſtneſſes of Argyleſhire. In the weſtern counties the duke of Chatellerault, the earls of Argyle and Glencairn, with the lords Boyd and Ochiltree, collected their followers. To the earl of Athol ſhe granted a commiſſion to purſue the rebels with fire and ſword in the northern diſtricts. She herſelf marched towards Glaſgow; and the rebel chiefs in that quarter advanced to Paiſley with a ſeeming deſign to give her battle; but they turned off ſuddenly to Edinburgh, and entered that city with thirteen hundred horſe. They hoped to allure partizans in the capital under the pretence of acting for religion and the glory of God, and by the efforts of the clergy; but few reſorted to their ſtandard; and as the Queen preſſed upon their footſteps, they took the road to Lanerk and Hamilton. The royal army advertiſed of their retreat, continued for ſome days to march with a view to overtake them. The King and Queen however thinking it expedient to change their operations, went to Stirling and then to Fife, taking into cuſtody the

* Keith, Append. p. 104, 105.

caſtles

caſtles of the diſcontented nobles, and employing the neceſſary precautions againſt inſurrections and tumults. Upon her return to Edinburgh, the Queen took the reſolution to advance to Dumfries, to which place it was known that the confederated lords had retired; and having previouſly commanded a rendezvous of her ſubjects at Biggar, ſhe found an army of eighteen thouſand men in readineſs to obey her mandate. The approach of this formidable force diſconcerted altogether the machinations of the earl of Murray and his partizans. They fled to England in confuſion and in deſpondence *.

Elizabeth's reception of the rebels.

Elizabeth diſappointed in her expectations of the earl of Murray and his party, was ſolicitous to conceal the part ſhe had acted; and the rebels were conſoling themſelves for their diſgrace by their claim to her countenance and protection. They deputed the earl of Murray and Gavin Hamilton abbot of Kilwinning, to repair to her to negociate concerning their affairs, and to ſolicit her advice and direction. But though ſhe had excited them to revolt, and had not only ſupplied them with money, but had promiſed to ſupport them by her arms, ſhe now affected diſdain and ſcorn. The deputies were ſternly refuſed even the formality of an audience. But after having operated upon their fears, ſhe ſeduced them to contribute to her vindication, under the ſecret ſtipulation of her exerting the fulneſs of her power in behalf of their faction. The ambaſſadors of France and Spain had complained with warmth of her interference in the affairs of the Queen of Scots, and of the delight which ſhe found in ſtirring up the diſſenſions of her kingdom. Having aſſerted her in-

* Knox, p. 417, 418. Spotſwood, p. 192. Keith, p. 312. 317.

tegrity

Book II. 1565. tegrity she called Murray and Hamilton before her in their presence, and desired them to say, whether she had encouraged the rebellion against the Scottish Queen. These deputies, throwing themselves upon their knees, protested with solemnity, that she was altogether innocent of fomenting any divisions among the subjects of Scotland. "You are in the right, said she to them, to tell "the truth; for neither I nor any person in my "name ever excited you to oppose your sove-"reign. Your treason is most abominable, and "may teach rebellion to my subjects; and as "worthless traitors I command you from my "presence." Murray and Hamilton departed from her covered with shame and stupified with amazement. Randolph, also, who had been resident in Scotland, in compliance with the ignoble uniformity of his conduct, expressed roundly the innocence of his mistress. Amidst a scene of treachery which was too gross to deceive, but which corresponded with the perfidious refinements of Elizabeth, Throgmorton alone maintained his probity and honour. He could not be prevailed upon to deny or to palliate his transactions to interrupt the marriage of the Queen of Scots, and to rouze up her subjects against her; and his sincerity might have exposed him to the greatest hazard, if his foresight had not suggested to him that a warrant from the privy council might be necessary as his authority for the part which he was instructed to act. This warrant accordingly had been given to him; and he now expressed his willingness to produce it as the decisive voucher of the orders with which he had been entrusted *.

But while the public behaviour of Elizabeth was apparently so acrimonious to the Scottish

* Melvil, Memoirs, p. 118.

rebels,

rebels, ſhe afforded them a ſecure retreat within her kingdom, treated the earl of Murray in private with reſpect and kindneſs, flattered him with a favourable change in his affairs, and commanded the earl of Bedford to ſupply him with the ſums of money which were ſuitable to his condition and exigencies*.

The military exertions of Mary too expenſive.

It appears that at this time the military exertions of Mary were diſproportioned to her danger, and involved her in an improper profuſion and expence. Beſide collecting an army according to the uſual methods; ſhe had ventured to maintain ſeveral companies of ſoldiers in regular pay. This innovation was an infringement of the laws; and what was ſtill a more violent outrage to the conſtitution, ſhe attempted a taxation upon the foundation of her prerogative. She was not ſatisfied with levying fines from the towns of Perth, Dundee, and St. Andrews, which had favoured the rebellious nobles. She demanded a very conſiderable ſum from the inhabitants of Edinburgh as a relief to her neceſſities. They refuſed however to comply with the requiſition. They were then aſked what loan they would grant to her. They were ſilent and diſpleaſed. This behaviour being conſtrued into contumacy and diſobedience, many reſpectable perſons were ſeized by armed ſoldiers, and committed to cuſtody in the caſtle; an indignity which the free ſpirit of the times ſubmitted to with impatience. But by the prudence of the provoſt and the magiſtrates a compromiſe was effected; and a large ſum was advanced to the Queen upon the ſurrender of the ſuperiority of Leith as a pledge for its repayment †.

* Keith, p. 320. Knox, p. 424. † Spotſwood, p. 192. Maitland Hiſt. of Edinburgh, p. 27.

Book II.

1565. Ecclesiastical affairs.

A rise in the expenditure of the royal household had also taken place since the Queen's marriage; and under the pressure of difficulties, encroachments being made upon the funds allotted to the clergy, they were noisy and clamorous in no common degree. The hardness of their wants, and the favour they bore to the discontented nobles, irritated their resentments. Earnest supplications were made against the abstraction of their stipends, and for the abolition of the mass. Promises of satisfaction were held out to pacify them. But the rudeness of their carriage contributed, as usual, to offend the Queen. Their passions fostered her prejudices and obstinacy; and there seems to have been a great mixture of truth in their constant exclamation that the mass and idolatry were now more advanced than in any former period of her administration. For the earls of Lennox, Athol, and Cassilis, with other courtiers resorted openly to her chapel; and several monks took the liberty to harangue to the people upon the topics of the antient superstition. The protestant preachers, amidst the bitterness of their religious asperity, neglected not to turn their attention to the political state of the nation. The banished lords were pronounced from the pulpit to be the best part of the nobility, and the chief pillars of the congregation; prayers were publickly made for them; and the Almighty was implored to give them patience, comfort, and constancy *.

1566. Mary resolves to attaint the rebels.

Though Mary had been able to defeat the purposes of the rebellious nobles, without the effusion of blood, she was still apprehensive of their machinations, and of the power of Elizabeth. In order, therefore to overwhelm them in a gene-

* Knox, p. 423. 425.

ral

ral ruin, ſhe reſolved to proceed againſt them with an exemplary rigour. The ſubmiſſions alone of the duke of Chatellerault, who had been leſs criminal than the reſt, were attended to. But even the favour he obtained ſeemed equivocal and uncertain; for he was commanded to uſe the pretext of ſickneſs, and to paſs for ſome time into foreign countries. A parliament was called; and a ſummons of treaſon being executed againſt the earls of Argyle, Glencairn, and Rothes, the lords Ochiltree and Boyd, and other principal men of the faction, they were ordered to appear before the three Eſtates; and in default of their preſenting themſelves, it was declared that their lives and eſtates ſhould be forfeited.

The rebels ſue for pardon.

Throgmorton ſolicits Mary in their behalf.

The more that the rebels reflected upon their ſituation, their ſolicitude to procure a pardon was the greater. Their crimes were atrocious; their dependance upon Elizabeth was humiliating and precarious; and the affection manifeſted to Mary by her ſubjects had been ſtriking and remarkable. Ten earls, ſeventeen greater barons, and the flower of the gentry of the kingdom had aſſembled themſelves with their followers to maintain her dignity, and to chaſtiſe her enemies. The power and popularity of the Queen filled them with alarms and terror; and by a conſequence not leſs natural gave a firmneſs to her purpoſes. There were, however, many reaſons to induce her to exerciſe forgiveneſs and lenity. Theſe were preſſed upon her from different quarters; and were urged in a more particular manner by Sir Nicholas Throgmorton in a letter which he addreſſed to herſelf.

This diſtinguiſhed ſtateſman entering deeply into her intereſts, took the liberty to remind her, that it ought to be her chief object of ambition to procure the declaration of her titles to the crown

Book II. 1566. crown of England; that Elizabeth was infinitely averſe from this meaſure; and that in a ſituation ſo critical and difficult, it was not wiſe to confirm the hoſtility of her enemies. It was highly probable that her claim and titles would ſoon be canvaſſed in the Engliſh parliament: for the people of England were unanimous in one point, that a certainty, in ſome ſhape or other, ſhould be given to the ſucceſſion of the crown. To ſecure as many votes, as poſſible, to her advantage, was accordingly an obvious and ſalutary policy. This could only be done by retaining the affections of her friends, recovering the favour of thoſe whom any circumſtances of her behaviour had diſpleaſed, winning to her the perſons who had hitherto preſerved a neutrality, and conciliating or ſoothing her adverſaries and opponents. To force herſelf into a condition that would produce a neceſſity for an alliance with France or Spain, would have the infallible conſequence of giving offence to England. The eſteem of the Engliſh nation when once loſt was not eaſily recovered; and after ſhe had afforded it cauſes of diſguſt, her own honour would not permit her to approach it with flattery. It was by preſent habitudes that ſhe could allure moſt deciſively its benevolence and affection. Upon the ſubject of religion he entreated her to preſerve the temperance and moderation with which ſhe had hitherto conducted herſelf; and aſſured her that ſhe ought to adopt a fixed reſolution to abſtain from all religious novelties and innovation. Clemency he repreſented as the virtue of princes which is the moſt agreeable to their own ſubjects, and which draws the moſt cordial approbation of foreign ſtates. To have a command over her paſſions was to evince her to be worthy of royalty; and to withhold vengeance againſt enemies who

who were vanquiſhed and humble conſiſted with magnanimity and renown. Her reconciliation, at the ſame time, with her factious nobles might be attended with effects the moſt laſting and beneficial. From her union with all the members of her kingdom, Queen Elizabeth would be taught to pay a courtſhip to her. No opportunity would be given for intrigues and diſſenſion; and the Engliſh nation would be induced to look forward with pleaſure to the proſpect of being governed by a princeſs, whoſe temper and diſpoſitions were ſo benign and gentle. The carriage, indeed, of the earl of Murray had been infinitely ungrateful and provoking; yet it was difficult to perſuade the great maſs of her people that her quarrel with him had any other foundation but the difference of religious ſentiment. His zeal for the reformed doctrines diſpoſed them to ſympathy and approbation. Her generoſity, therefore, he inſiſted, and her remiſſion of his paſt miſconduct and guilt might engage the proteſtants of both kingdoms to be more affectionate in her intereſt. His advice, he ſaid, was offered with the moſt perfect ſincerity; and he was certain that her attention to it would advance greatly her reputation, and augment her partizans in England. Her titles were generally allowed to be preferable to thoſe of the Houſe of Suffolk; and to bear away the prize from every competitor, there was nothing wanting upon her part but magnanimity and moderation *. Book II. 1566.

Mary being apprized of the abilities of Throgmorton, and having a proper eſteem of his attachment to her perſon, was not inſenſible of the ſtrength and the merit of his remonſtrances. The earl of Morton, Maitland of Lething- She relents, and thinks of gentle meaſures.

* Melvil, Memoirs, p. 119.

ton,

Book II. 1566.

ton, Sir James Melvil, and other friends to the earl of Murray and to the proteſtant religion, enforced them with all their addreſs. The Queen ſeemed willing to yield to ſolicitations which promiſed ſo much to her pretenſions upon England; and while it flattered her pride to put a ſtop ſo honourably to her domeſtic diſturbances, ſhe hoped for the future to command without controul the zeal and the ſervice of men who were ſo conſiderable by their abilities and reputation, their kindred and vaſſals. Her ſentiments of compaſſion and kindneſs were confirmed by the counſels of David Rizzio, whom the earl of Murray had enticed to his party by a letter expreſſive of repentance, and laviſh of promiſes; and which he had accompanied with a rich diamond as a memorial of his regard. Theſe advances were the more acceptable to this ſtranger, as the King had begun now to frown upon him, and as he might ſoon have occaſion for a friend and protector. The parliament to forfeit the rebels which Mary had appointed to aſſemble in February was prorogued till April; and ſhe employed herſelf to meditate upon the terms and the method in which ſhe was to extend her grace and mercy to her enemies *.

Envoys arrive from France.

Mary returns to her reſolution to puniſh the rebels.

In the mean time ambaſſadors from France made their appearance in Scotland. Charles IX. had commanded M. de Ramboillet to inveſt the King of Scots with the enſigns of the order of St. Michael; and the ceremonial was performed in the chapel of Holyrood houſe with the uſual reverence and ſolemnities †. The buſineſs of the other ambaſſadors was ſecret and of high moment. Agreeably to its importance three envoys

* Keith, p. 253. Melvil, Memoirs, p. 125. † Caſtelnau, p. 467. Knox, p. 428.

had

had arrived to act in it. Catharine de Medicis had given her inſtructions to Villemont; Clernau was deputed by the cardinal of Lorraine; and Thornton had been diſpatched by James Beaton, archbiſhop of Glaſgow, who reſided at Paris in the character of ambaſſador from the Queen of Scots. Pius IV. who now filled the papal chair, thought to cover the timidity of his nature by the audaciouſneſs of his policy. After the diſſolution of the council of Trent, he had practiſed with the Roman catholic powers to overturn every where the doctrines of the reformation. With this view, but under harmleſs and friendly pretences, Charles IX. the Queen of Spain, Catharine de Medicis, and the duke of Alva, to whom Philip had devolved his full authority, projected an interview at Bayonne. Their attendance of princes and nobles was moſt magnificent. Luxury, parade, and ſhow were never exhibited with greater pride and oſtentation. Amidſt the ſplendour and noiſe of tournaments, the gorgeous ſumptuouſneſs and unſuſpicious pleaſures of the table, the engaging entertainments of the theatre, and the melting allurements of dancing and maſquerades, the Queen mother of France and Alva indulged the ferocious wickedneſs of their diſpoſitions. Meaſures the moſt ſavage and ſanguinary were concerted. By treachery and circumvention, by fire and the ſword they reſolved utterly to exterminate the proteſtants over Chriſtendom. It was to induce Mary to accede to this confederacy that the three envoys had been ſent to her; and to this purpoſe they employed their utmoſt addreſs and artifice. Her connexions with France, her habits of ſubmiſſion to the Houſe of Guiſe, her reſpect for the archbiſhop of Glaſgow, who was a man of acknowledged probity, and devoted to her with the keeneſt zeal, her attachment

Book II. 1566. ment to the Romiſh religion, which approached to littleneſs and bigotry, a holy deſire of recommending herſelf to Heaven, the flattering pride of ſtriking a deadly wound againſt the reformation, and the hope of deſtroying her enemies or of forcing them to endure the moſt abject humiliation and diſtreſs, all concurred to make a fatal impreſſion upon her mind. The ſentiment of lenity which had been ſoftening her reſentments died away. Paſſion and prejudice, vanity and pride prevailed over prudence, humanity, and policy. The wiſe advices of Throgmorton poſſeſſed no longer any influence. The minion Rizzio diſregarding now the proffered friendſhip of the earl of Murray, fortified her returning reſolutions of cruely and revenge. He repreſented in glowing colours the irreſiſtible power, and the immeaſurable greatneſs of ſo many confederated princes; and he augmented by a contagious imbecillity her reverential and ſuperſtitious awe of the Roman pontiff. In an unhappy and calamitous moment ſhe became a party to a league the moſt diſgraceful to virtue that had ever been deviſed by human craftineſs. The reformed and eſtabliſhed religion ſeemed expoſed to an imminent hazard; and a vengeance heavy and ſevere threatened to exhauſt its rage upon her rebellious nobles and their adherents *.

Her councils are betrayed. This revolution in the ſentiments of Mary ſo ſudden and unexpected, filled her court with perplexity and alarm. The earl of Morton, the lords Ruthven and Lindſay, and Maitland of Lethington communicated intelligence to the rebels of their danger. Her moſt confidential diſcourſes

* Mezeray, Hiſt. de France, tome iii. Thuanus, Hiſt. ſui Temp. lib. xxxvii. Melvil, Memoirs, p. 126. Keith, p. 326. Append. p. 167.

were

were revealed. They were informed of her acceſſion to the treaty of Bayonne, and of her determination to overturn the reformed doctrines. She diſcovered an impatience to act upon her new councils. The parliament which had been prorogued till April was ſummoned to aſſemble in March. The lords of the articles, whoſe duty it was to model the buſineſs for the three Eſtates, were nominated; and it was obſerved, that they were in the intereſts of the Queen. The popiſh eccleſiaſtics were reinſtated in their antient importance in the parliament. A revocation was apprehended of the grants and donations of property which had been made during her minority. The reſumption of the eccleſiaſtical benefices which were poſſeſſed under uſurped and fraudulent titles was judged to be inevitable. The partizans of popery were riſing in their courage. Perturbation and fears were already haunting the proteſtants; and among all ranks of men there prevailed a confuſed and uncertain expectation of great and uncommon events.

Machinations of the rebels.

The earl of Murray and the rebellious nobles driven to extremity were ready to engage in deſigns the moſt daring and deſperate; and by the artifices and policy of the earl of Morton, the lord chancellor, and their other friends, they were enabled to take a full advantage of the ſituation of affairs in the court of Scotland. Diſguſts and diſſenſion had ariſen between the King and Queen. Her fondneſs had been exceſſive; but the qualities of his mind did not accord with his perſonal accompliſhments. After the ardours of love were abated ſhe remarked with ſurprize and ſorrow his temper and capacity. Her prodigality to him of dignities and titles had offended her ſubjects, and even violated their rights, without contenting his ambition. He fancied

They engage the King to conſpire with them to overturn the authority of the Queen.

that

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that no honours were great enough to reward his merit. He was proud, diſdainful, and ſuſpicious. It was in vain, that ſhe employed her cares to faſhion him to the humour of her people. No perſuaſions could correct his wilfulneſs. He was at the ſame time giddy and obſtinate, inſolent and mean. His underſtanding was too weak to improve by inſtruction and experience; and he had a propenſity for buſineſs and affairs with an utter incapacity to engage in them. His imperfections were obvious and contemptible; and the fortune which made him a King opened them up in all their wildeſt deformity. The bewitching tumults of joy to which the Queen had ſurrendered herſelf, were not mellowed down into eſteem and affection. Diſtaſte grew upon her in proportion to their vivacity. She ſighed and wept over the precipitation of her marriage. Her neglect and coldneſs taught him to affect an indifference to her perſon. He ſeemed deſirous to forget, that ſhe had the paſſions of a woman, and the dignity of a Queen. He engaged himſelf in low intrigues and amours. He addicted himſelf to the ſports of the field, and ſought a more ſerious and frequent paſtime with his hawks, his horſes, and his dogs than conſiſted with the greatneſs of his ſtation. His companions recommended themſelves to him rather by their vices than their virtues; and he often indulged with them in the diſgraceful exceſſes of intoxication and riot. But amidſt the rapid ſucceſſion of his occupations and amuſements he was ſtung with diſappointment, and enſlaved by chagrin. The luſt of dominion was his ruling appetite; and the prudence of the Queen had excluded him from power. He had frequently demanded from her the matrimonial crown with inſulting pertinaciouſneſs. It continually haunted his imagination; and he fondly annexed

annexed to the poſſeſſion of it, the full and unbounded exertion of all the royal prerogatives. He conſidered the delay of the Queen to inveſt him with this diſtinction as a mortal offence. Her declaration that ſhe could not beſtow this favour without the concurrence of the three Eſtates, and her promiſe that ſhe would ſeize a proper opportunity to apply for their ſuffrage and approbation, appeared to him to be additional inſults. Morton and Lethington, with the lords Ruthven and Lindſay addreſſed themſelves to his weakneſſes, reſentments, and ambition. They regretted the negligence of the Queen, expreſſed a ſurprize at the ſubjection in which he was held, declaimed againſt the rule of a woman as unnatural, and infuſed into him the thought, that he ought to aſſume the full rights of a huſband, and teach her to acknowledge his ſuperiority. Having poſſeſſed themſelves of his confidence by inſinuations and flatteries they turned his attention to the earl of Murray and the rebellious nobles, extolled their power, and pointed to an union with them as the moſt effectual method of raiſing him to the real and ſolid grandeur of a King, and of ſecuring him in the poſſeſſion of it. The miſguided prince entered with keenneſs into their views; and a league, infinitely diſhonourable to all the actors in it, was formally concluded between him and the moſt envenomed enemies of his Queen *.

The articles to be fulfilled by the rebels.

In their articles of confederacy and agreement, the earls of Murray, Argyle, and Rothes, the lords Boyd and Ochiltree, with their accomplices, made an offer of their ſervices to the King with the greateſt humility and lowlineſs. They obliged

* Spotſwood, p. 194. Keith, p. 327, 328, 329. Melvil, Memoirs, p. 127.

themſelves

Book II. 1566. themſelves to be his faithful ſubjects, to take a ſtrenuous part in his affairs and quarrels, and to promote his advancement and honour with their lives and eſtates. They conſented to exert, upon their return to Scotland, their full parliamentary influence to procure him during his life, the matrimonial crown; and in the event of the Queen's death, they agreed to ſupport his claim to the kingdom, and to extirpate or put to death every intruder into his juſt and legal rights. They engaged to uphold the proteſtant religion as eſtabliſhed by law, and to reſiſt and to puniſh all thoſe who ſhould preſume to raiſe troubles againſt it, or to deface its purity by innovations. They ſtipulated to employ their conſequence with Elizabeth to obtain the enlargement of the King's mother and brother; and they became bound to ſolicit this powerful princeſs to extend her aid and protection to the King in all honourable cauſes againſt every foreign prince whatſoever, who ſhould be moved to give him diſturbance or moleſtation *.

Stipulations by the King to the rebels. Upon the part of the King, the engagements were moſt flattering and ample. He agreed to bury in oblivion all memory of the offences of the rebellious nobles, and their adherents; promiſed to exert himſelf to procure a free and general remiſſion of their crimes of whatſoever quality or condition; and expreſſed, in the caſe of preſent oppoſition and difficulties, his fixed determination to extend to them his unlimited mercy upon his obtaining the crown matrimonial. He bound himſelf to oppoſe the holding of any parliament to their prejudice, and to prevent to the utmoſt extent of his power the paſſing

* Records, ap. Goodal, Examination of the letters ſuppoſed to be written by Mary Queen of Scots, vol. i. p. 227.

of

of any forfeitures againſt them. He called them to the enjoyment of all their poſſeſſions and eſtates; concurred with them to ſupport the proteſtant religion; and, inviting them to conſider him as their natural prince, made himſelf a party to their intereſts and affairs *. Book II. 1566.

By this conſpiracy the King meant to uſurp the whole authority of the government; and the rebels making him an inſtrument to his own deſtruction, propoſed not only to preſerve their perſonal ſecurity and eſtates, but to raiſe themſelves into conſideration and greatneſs. The Queen, unſuſpicious of danger, and ſolacing herſelf with her projects, waited impatiently for the convention of the parliament. It was ſoon to aſſemble; and the rebels had every thing moſt humiliating to expect, from the vigour of its reſolutions. To prevent its meeting, and to throw the kingdom into combuſtion, were meaſures ſo neceſſary to them, that without their atchievement, all their hopes of advantage would inevitably be deſtroyed; and the wide impopularity of David Rizzio and the ſupereminent authority affected by him, afforded them the means of carrying their purpoſes into execution. This minion, though he had aſſiſted the King in his marriage, did not long retain his favour. The height of grandeur to which he had riſen expoſed him to hatred and odium. The petulant immodeſty of his carriage excited indignation. His proſperity had been great; and his inſolence was greater. He had engroſſed to him the chief management of affairs. He ſlighted the nobility as inferior to him; and ſtudiouſly diſplaying all his conſequence, his train and ſtate ſurpaſſed thoſe of the King. The inſulted prince regarded him as the ſource The aſſaſſination plot.

* Keith, Append. 120. Goodal, vol. i. p. 231.

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of his littleneſs; and to be reduced to be a theatrical ſovereign, or a mere pageant of royalty, by a perſon ſo ignoble, was a blow moſt mortifying to his pride. Nor was it alone the parade and power of the favourite that filled him with inquietudes and alarms. Another cauſe of diſcontent took poſſeſſion of him. He obſerved no longer in his Queen that warmth of ſentiment and tenderneſs which had enraptured their earlier intercourſe. His vanity did not allow him to impute this change to his own demerits. The ſuſpicion tortured him that this audacious upſtart had not only defrauded him of his prerogatives, but had invaded the rights, and polluted the joys of his conjugal bed *. The earl of Morton affecting

* That there ſubſiſted a criminal intercourſe between Mary and Rizzio is a ſcandal which is now given up by her enemies. It ſeems to reſt on the authority of Buchanan and Knox; and their evidence in this caſe is clearly of no weight; not only from their being the ſtrenuous partizans of her adverſaries; but from the multitude of falſehoods which they anxiouſly detail to calumniate her. The love ſhe felt for Darnley was extreme; and their acquaintance commenced a month or two after the appointment of Rizzio to be her ſecretary for French affairs. She became pregnant ſoon after her marriage; and it was during her pregnancy, that Rizzio was aſſaſſinated. Theſe are ſtriking preſumptions in her favour; and what ſeems to put her innocence out of all queſtion is the ſilence of the ſpies and reſidents of Elizabeth, with regard to this amour; for, if there had been any thing real in it, they could not have made their court to their Queen more effectually than by declaring to her its peculiarities; and their want of delicacy, ſo obſervable in other circumſtances, would have induced them, upon this occaſion, to give the greateſt fulneſs and deformity to their information.

It appears that Rizzio was ill favoured and of a diſagreeable form. Buchanan ſays of him, "non faciem cultus "honeſtabat, ſed facies cultum deſtruebat." Hiſt. Scot. lib. xvii. This expreſſion is very ſtrong; but it would have little weight if other authors had not concurred in giving a ſimilar deſcription of Rizzio. In a book intitled Le Livre de la Mort & de la Reyne d'Ecoſſe, and printed in the year 1587, he

fecting to be penetrated with all the anxieties of the moſt cordial friendſhip, inſpirited his jealouſy, and embittered his anguiſh. By ſlight and diſtant hints, by heſitating and reluctant alluſions he be- Book II. 1566.

he is ſaid to be diſgracié de Corps. Cauſſin, ap. Jebb, p. 37. This work too while it records the unkindneſs of nature to his perſon has obſerved, that he was in his old age when he made a figure in the court of Mary. "Elle traittoit ordinairement avec David Riccio ſon ſecretaire, homme aagé & prudent, qui poſſedoit ſon oreille." Ibid. Blackwood gives his teſtimony to the ſame purpoſe. "David Riccio—eſtoit bien reſpecté de ſa maitreſſe, non par aucune beauté ou bon grace qui fuſt en luy, eſtant homme aſſez aagé, laid, morne & mal plaiſant, mais pour ſa grande fidélité, ſageſſe, & prudence, & à cauſe de pluſiers autres bonnes parties dont ſon eſprit eſtoit dignement orné." Martyre de Marie, ap. Jebb, p. 202. "Riccius, ſay another author, ſenex quidem, & corpore deformis, ſed, ob eximiam fidem & prudentiam, Mariae percharus, adeoque à ſecretis. Con. vit. Mar. ap. Jebb, p. 24. And a writer, who was actually acquainted with Rizzio, has theſe words. "Etant en Ecoſſe, j'ai bien connu David Rizzio, duquel j'ai reçu bien de courtoiſies à la cour: Il etoit aſſez aagé & laid, d'une humeur morgne & mauvais plaiſant; mais d'une rare prudence, & fort habille dans les affairs." Les Leſſons diverſes de Louis Guyon, conſeiller aux finances du Roi de France, ap. Lord Elibank, Letter to my Lord Hailes, p. 50.

It is probable, that the panegyriſts of Mary exaggerate ſomewhat the imperfections as well as the good qualities of Rizzio. But there ſeems in general to be no reaſon to doubt his fidelity and talents any more than his uglineſs and ſenility. He had therefore a better title to be her ſecretary than her lover. It is a wild abſurdity to conceive that a Queen ſo young and ſo beautiful would ſubmit to the careſſes of deformity and old age. A common proſtitute muſt be bought to endure this misfortune. The capacity of the man was a recommendation to him; and as he owed every thing to her bounty, and was a ſtranger, ſhe had the greateſt reaſon to rely upon his faithfulneſs. The perfidiouſneſs and duplicity of her courtiers drew cloſer the tie of their connexion; and as Rizzio was ſtudious to make himſelf agreeable, and was ſkilful in games of hazard, he was always ready to be a party with her in thoſe innocent amuſements which fill up the liſtleſs intervals of life. Keith, Append. p. 124.

Book II. trayed the ſecret he ſeemed willing to conceal.
1566. The burning curioſity of the King drew from him more explicit declarations. He inſiſted upon the exquiſite beauty of the Queen, the decay of her love, the ſtate of inſignificance to which ſhe had reduced him, her partiality for Rizzio, the confidence to which he was admitted, his power, his attachment, and his conſtant and eaſy acceſs to her not only in the hours of buſineſs, but in private parties and amuſements. Theſe inſidious topics were held out with art, and left to faſten and rankle in his breaſt. The impreſſions made by Morton were aided and confirmed by the artifices of Maitland and the lord Lindſay. Agonizing with paſſions that tear moſt cruelly the human heart, the enraged and frantic monarch thought to vindicate his wrongs with his dagger, and to glut his vengeance with blood.

In the aſſaſſination of David Rizzio which Morton and Maitland, Ruthven and Lindſay, had concerted with a deſperate and relentleſs policy they prognoſticated a revolution at the court, and the entire humiliation of Bothwel, Huntley, and Athol, who were the aſſociates of the favourite. The return and pardon of Murray and the rebels, thence facilitated, would turn to them the balance of power; and their conſequent exaltation and triumph be the price and reward of their guilt. But ſuſpicions of the giddineſs and inconſtancy of the King ſtill haunting them with terror, they engaged him to ſubſcribe an obligation or bond, affirming, that the project of aſſaſſinating David Rizzio was altogether a device of his own; acknowledging that he had ſolicited them to take a part in it from the apprehenſion that reſiſtance might be made to him; and agreeing, upon the word and honour of a prince, to protect and ſecure them againſt every hazard and injury to

which

which they might be expoſed from the atchievement of his enterprize *. Having procured this ſecurity, and having allured the earl of Lennox, the King's father, to approve their meaſures, they adjuſted the method of the projected murder; and diſpatched a meſſenger to the Engliſh frontier advertiſing the earl of Murray and the rebels of their intentions, and inviting them to return to the court.

The murder of Rizzio.

Upon the ninth day of March, about ſeven o'clock in the evening, armed men to the number of five hundred, ſurrounded the palace of Holyrood houſe. The earl of Morton and the lord Lindſay entered the court of the palace with one hundred and ſixty perſons. The Queen was in her chamber at ſupper, having in her preſence her natural ſiſter the counteſs of Argyle, her natural brother Robert, commendator of Holyrood houſe, Beton of Creich maſter of the houſehold, Arthur Erſkine, and David Rizzio. The king entering the apartment, ſeated himſelf by her ſide. He was followed by the lord Ruthven, who being waſted with ſickneſs, and caſed in armour, exhibited an appearance that was hideous and terrible. Four ruffians attended him. In a hollow voice he commanded Rizzio to leave a place which did not become him. The Queen in aſtoniſhment and conſternation applied to the King to unfold to her this myſterious enterprize. He affected ignorance. She ordered Ruthven from her preſence under the pain of treaſon, declaring to him, at the ſame time, that if Rizzio had committed any crime ſhe would produce him before the parliament, and puniſh him according to the laws. Ruthven, drawing his dagger, advanced towards Rizzio. The Queen roſe to make an exertion of

* Record, ap. Goodal, vol. i. p. 266. Keith, Append. p. 122.

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her authority. The unfortunate ſtranger laid hold of her garments, crying out for juſtice and mercy. Other conſpirators ruſhing into the chamber, overturned the table, and increaſed the diſmay and confuſion. Loaded piſtols were preſented to the boſom of the Queen. The King held her in his arms. George Douglas, ſnatching the dagger of his ſovereign, plunged it into the body of Rizzio. The wounded and ſcreaming victim was dragged into the antichamber; and ſo eager were the aſſaſſins to complete their work, that he was torn and mangled with fifty-ſix wounds *.

The Queen is cruelly inſulted.

While the Queen was preſſing the King to gratify her inquiries into the meaning of a deed ſo execrable, Ruthven returned into their preſence. She gave a full vent to indignation and reproach. Ruthven with an intolerable coldneſs and deliberation informed her, that Rizzio had been put to death by the counſel of her huſband, whom he had diſhonoured; and that by the perſuaſion of this minion ſhe had refuſed the crown matrimonial to the King, had engaged to re-eſtabliſh the antient religion, had reſolved to puniſh the earl of Murray and his friends, and had entruſted her confidence to Bothwel and Huntley, who were traitors. The King taking the part of Ruthven remonſtrated againſt her proceedings, and complained that from the time of her familiarity with Rizzio, ſhe had neither regarded, nor entertained, nor truſted him. His ſuſpicions and ingratitude ſhocked and tortured her. His connexion with the conſpirators gave her an ominous anxiety. Apprehenſions of outrages ſtill more atrocious invaded her. In theſe agitated and miſerable moments ſhe did not loſe herſelf in the helpleſſneſs of ſorrow. The loftineſs of her ſpirit

* Caſtelnau, p. 468. Keith, p. 331.

com-

communicated relief to her; and wiping away her tears, ſhe exclaimed, that it was not now a ſeaſon for lamentation, but for revenge *. Book II. 1566.

The earls of Huntley, Bothwel, and Athol, the lords Fleming and Levingſton, and Sir James Balfour, who were obnoxious to the conſpirators, and at this time in the palace, found all reſiſtance to be vain. Some of them eluding the vigilance of Morton made their eſcape; and others were allowed to retire. The provoſt and magiſtrates of Edinburgh getting intelligence of the tumult, ordered the alarm bell to be rung. The citizens, apprehenſive and anxious, approached in crowds to inquire into the welfare of their ſovereign; but ſhe was not permitted to addreſs herſelf to them. The conſpirators told her, that if ſhe preſumed to make any harangue, they would 'cut her in pieces and caſt her over the walls.' The King called to the people that ſhe was well, and commanded them to diſperſe. The Queen was ſhut up in her chamber, uncertain of her fate, and without the conſolation or attendance of her women †.

In the morning a proclamation was iſſued by the King without her knowledge, prohibiting the meeting of the Parliament, and ordering the ſpiritual and temporal nobility to retire immediately from the city. The rebellious lords were now expected from England; and they made their appearance within twenty-four hours after the murder of Rizzio. The Queen recollected the advice of Throgmorton to the advantage of Murray, and was ſenſible of the importance of gaining him in the preſent emergence. By the agency of Sir James Melvil ſhe contrived to invite him to wait upon her. His reception was ſufficiently reſpectful and affectionate; and

The conſpirators confine her to her palace.

* Spotſwood, p. 195. † Keith, p. 332.

after

Book II. 1566. after detailing the rudeneſs and ſeverity of the treatment ſhe had ſuffered, ſhe did him the honour to obſerve, that if he had remained in friendſhip with her at home he would have protected her againſt ſuch exceſſes of hardſhip and inſult. This profound politician ſeemed moved with her misfortunes, and melted into tears. His expreſſions of future affection and attachment appeared to proceed from the heart. She betrayed no doubt of his ſincerity; and while ſhe conſoled herſelf with the hope that her delivery was at hand, ſhe inſinuated into him the expectation of a full pardon of his offences. The conſpirators, in the mean time, held councils in which they deliberated concerning the conduct they ought to purſue. They were in doubt whether to detain her in perpetual captivity, or to put her to death; or whether they ſhould be contented with committing her to cuſtody in Stirling Caſtle till they ſhould obtain a parliamentary approbation of their proceedings, and till they ſhould finally eſtabliſh the proteſtant religion by the total overthrow of the maſs, and inveſt the King with the crown matrimonial, and the government of the realm *.

The King forſakes the intereſt of the conſpirators.

The unfortunate Queen opened her mind to all the wretchedneſs of her ſituation. The murder of a faithful ſervant in her own preſence, at a time when ſhe was advanced in her pregnancy, and when her life and that of her infant were endangered by the enterprize, the diſaffection of the King, the turbulence, ferocity, and ambition of her nobles, his attempt to fix a ſtain upon her virtue, their acquieſcence in his ſuſpicions, the diſappointment of her intentions and projects, her captivity, and the uncertainty of what ſufferings might yet await her, were all circumſtances

* Melvil, Memoirs, p. 129. Keith, p. 332, 333.

of

of a nature the moſt melancholy and terrifying. They overpowered not, however, the vigour of her mind. To the King ſhe held out her condition in all its atrocity; and her complaints and remonſtrances failed not to make a due impreſſion upon him. He conſidered with ſurprize the length to which he had proceeded, became apprehenſive of new miſchief, was ſhocked with the criminal views of his aſſociates, and deeply affected with his own ingratitude and raſhneſs. While under the conflicts of ſhame and remorſe, the Queen treated him with a flattering attention. She even employed the moſt tender careſſes to win him completely to her purpoſe. Her eyes fixing often upon her altered ſhapes reminded him of their loves, and that for him ſhe was ſoon to endure the throes of a mother. He was ſtruck with a quick ſenſe of the true line of his intereſt. His happineſs he perceived was inſeparable from her's; and his unnatural connexions might not only involve them in one common ruin, but inflicting calamity upon their child deſtroy all the proud proſpects and alluring glory of its lineage. He implored anxiouſly her forgiveneſs, and proteſted, that he would invariably conſult the ſecurity of her perſon and her crown, and abandon for ever the treacherous councils of her adverſaries.

The Queen makes her eſcape.

In this ſtate of his mind he continued to be beſieged by the conſpirators. They knew his facility, and apprehended his defection. His coldneſs was a check upon their reſolutions. The earl of Morton and the lord Ruthven were full of ſuſpicions. They put the King in remembrance of the addreſs of the Queen, and that ſhe had been educated in France. He preſſed them to truſt implicitly to his management, and aſſured them of the clemency of the Queen.

The

Book II. 1566. The conſpirators, conſcious of their want of power, were diſpoſed to enter into an accommodation, and meditated the terms of peace which might be moſt acceptable to her. He brought to them a meſſage from her that ſhe was willing to bury for ever in oblivion the memory of their tranſgreſſions; and he offered to conduct them into her preſence. The earls of Murray and Morton, with the lord Ruthven attended him to the palace; and falling upon their knees before the Queen made their apologies and ſubmiſſion. She commanded them to riſe; and having deſired them to recollect her abhorrence of cruelty and rapaciouſneſs, ſhe aſſured them with a gracious air, that inſtead of being bent upon forfeiting their lives, and poſſeſſing herſelf of their eſtates, ſhe was inclined to make them objects of favour, and to give her complete pardon not only to the nobles who had come from England, but to the actors in the ſlaughter of David Rizzio. They were ordered accordingly to prepare the bonds for their forgiveneſs and ſecurity; and ſhe promiſed to take an early opportunity to ſubſcribe them. In this ſtage of the buſineſs, the King remarked that the conſpirators ought to remove the guards which they had placed around the Queen, that every appearance of reſtraint might be taken away, and her ſubſcriptions have a full and indiſputable validity. This meaſure, could not, with any propriety be oppoſed. The guards, therefore, were diſmiſſed; and the Queen, pleaſed with her artifice, waited impatiently till midnight, when ſhe left the palace, and took the road to Dunbar, with the King and a few attendants.

Her vigorous meaſures againſt the conſpirators. The earls of Huntley and Bothwel were in concert with the Queen; and the latter, collecting his followers upon her eſcape, haſtened to the

the protection of her perſon. The earls of Mariſhal, Athol, and Cathneſs, with the lords Hume and Yeſter alſo aſſembled themſelves at Dunbar. Proclamations were iſſued by the Queen to call her ſubjects to attend her in arms. The conſpirators in perplexity and conſternation diſpatched to her the lord Semple, requeſting with humility her ſubſcription to their deeds of pardon and ſecurity. She received their meſſenger without paying any reſpect to him; and they were taught to underſtand that they had every thing to fear from the ſeverity of her reſentment. With eight thouſand men ſhe advanced to her capital. Incapable of oppoſing her, and diſpirited, they had no hope but in flight. The earl of Morton and Maitland of Lethington, the lords Ruthven and Lindſay, paſſed with expedition to Newcaſtle. The other conſpirators ſought a refuge in concealments; and John Knox who had been induſtrious in applauding their enterprize retired himſelf to Kyle, to wait till the violence of the ſtorm ſhould ſubſide *. A privy council was held; the conſpirators were charged to appear before it as guilty of murder and treaſon; their places of ſtrength were ordered to be rendered up to the officers of the crown; and their eſtates and poſſeſſions were made liable to confiſcation and forfeiture †. Book II. 1566.

While the Queen was eager to diſappoint and to puniſh the murderers of Rizzio, ſhe was aware, that the earl of Murray and the rebellious nobles making a common cauſe with them might raiſe up a formidable power to oppoſe her. She had therefore paid an early attention to Murray; and it conſiſted with his intereſt to meet her Her behaviour to the earl of Murray.

* Spotſwood, p. 195. Keith, Append. p. 128, 129. Knox, p. 432. † Keith, p. 333. Append. p. 130.

advances

Book II. 1566. advances with warmth and readineſs. Sir James Melvil pledged himſelf to produce his pardon and that of his adherents, if he would divide from Morton and the conſpirators. He, accordingly, became cold and diſtant to them. Though the aſſaſſination plot had been concerted with a view to his relief, and though he had received intelligence of the deſign, and had taken advantage of its execution, he yet affected to exclaim againſt the murder as a moſt execrable action, and to infer from its circumſtances that the ſcheme of the conſpirators extended to the life of the Queen and that of her infant. He ſcrupled not to diſavow in the ſtrongeſt terms all concern in ſo foul a deed, and he engaged himſelf to the Queen never to intercede in their behalf, and never in the future to form any connexion with them. But notwithſtanding his apparent defection and diſguſts, the conſpirators did not loſe their hopes of his aſſiſtance. His cautious policy appears even to have been a concert ſuggeſted to them by the precarioufneſs of their ſituation; and accordingly when they fled from the fury of their Queen to ſeek for ſafety in England, he furniſhed them with letters of recommendation to his friend the earl of Bedford *.

The levity and perfidiouſneſs of the King.

Upon the flight of the conſpirators the King emulating the diſguſts and inſincerity of the earl of Murray was alſo anxious to diſburden himſelf of the odium of a murder in which he had acted ſo flagitious a part. He therefore embraced an opportunity to declare, in a ſolemn manner to the privy council, his entire innocence of the conſpiracy againſt Rizzio; and even unſatisfied with this ſtep, he, by public proclama-

* Camden, p. 403.

tions

tions at the Market place of his capital and over his realm, proteſted to the people at large, that he had never beſtowed upon it in any degree the ſanction of his command, conſent, aſſiſtance, or approbation. A breach of veracity, ſo little juſtifiable from any neceſſity or ſtrength of motive, ſo violent, ſo capricious, and ſo public, gave the laſt blow to his character, and filled up the meaſure of his inſignificance *.

She pardons the rebellious nobles, and is inexorable againſt the conſpirators.

In compliance with the maxims of lenity which the Queen had adopted concerning the rebellious nobles, ample remiſſions were granted to the earls of Murray and Argyle, Glencairn and Rothes, and to their adherents. She even laboured to reconcile them to her prime counſellors, to the earl of Huntley whom ſhe had promoted to be chancellor in the room of Morton, and to the earls of Bothwel and Athol. To the conſpirators ſhe continued to be obſtinate and relentleſs. Letters were diſpatched by her to Elizabeth, and to the King of France, explaining the preſumption and crimes of the earl of Morton and Lethington, the lords Ruthven and Lindſay; and deſiring that they would afford no harbour to them in their dominions. A ſearch after their partizans having been made, a few of them were taken and condemned. Thomas Scot, ſheriff depute of Perth, and Henry Yair, a prieſt, ſuffered the death of traitors. John Moubray, a merchant, and William Harlaw a ſadler, were brought to the place of execution, but their lives were granted them at the deſire of the earl of Bothwel †.

The difficulty of the Queen's ſituation.

Mary, though flattered by the ſucceſs of her addreſs, was yet in a very dangerous ſituation.

* Knox, p. 432. Keith, p. 333. † Keith, p. 334. Knox, p. 433.

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Suſpicions of new plots.

The earl of Morton and Lethington, the lords Ruthven and Lindſay had put their lives and fortunes to hazard in order to ſerve the earl of Murray and his faction. In their turn they expected his aſſiſtance to re-eſtabliſh them in their importance. His former connexions with them had been intimate; and the addition which their return would give to his conſequence, was a powerful recommendation of them. The motive of ſupporting the proteſtant religion, which was an article in the confederacy of the conſpirators with the King, and the earl of Murray and his party, afforded them a popularity throughout the nation which ſanctified their ſufferings; and John Knox and the preachers, inſtead of declaiming againſt their wickedneſs, beſtowed upon them the moſt open and unreſerved panegyrick. The earls of Huntley, Bothwel, and Athol, in whom Mary confided, were little diſpoſed to concur with Murray and his faction. The colliſion in the views of hoſtile and contending ſtateſmen gave the promiſe of diſturbance; and even their cordiality which the Queen was ſolicitous to produce, might terminate in miſchief and danger. The boiſterous paſſions of the King, the peculiarity of his ſituation, his jealouſy of Murray, their cauſes of enmity, and the univerſal contempt to which he had expoſed himſelf, were other and ominous ſymptoms of calamity.

The Queen had many reaſons of inquietude, and the near approach of her delivery was an augmentation of all of them. In this ſeaſon of diſtreſs, an opportunity might be taken to ſtrike a blow to her diſadvantage. The earl of Murray accordingly had actually reſolved to employ himſelf at this juncture in accompliſhing the reſtoration of the conſpirators *. His device, however, did not

* Melvil, Memoirs, p. 133.

eſcape

eſcape the vigilance of the earl of Huntley and the biſhop of Roſs, who carried intelligence of it to the Queen, and endeavoured to perſuade her to commit him to cuſtody. But being ſenſible of their diſlike to him, and being deſirous of gaining him completely to her ſide, that ſhe might employ all his talents and popularity to her intereſt, ſhe approved not the violence of their counſel. Their information, notwithſtanding, was not neglected by her. She turned a penetrating eye to his carriage; and the privy council conſulting her ſecurity, framed an act, which declared it commodious for the commonwealth, that the Queen, if it conſiſted with her pleaſure and her health, ſhould take up her reſidence within the Caſtle of Edinburgh till the period of her delivery *. Book II. 1566.

While Mary felt ſo many ſtabs to her repoſe in the ambition and perfidy of her own ſubjects, ſhe had to guard againſt the policy of Elizabeth, who at this time was particularly jealous of the popularity and the partizans ſhe had acquired in England. The two Queens attended to the views of each other with a ſcrupulous anxiety. Amidſt pretenſions of friendſhip and mutuality of affection, they concealed and foſtered ſuſpicions, terror, and hatred. Upon the preſent diſtreſſes of Mary, Elizabeth diſpatched Sir Henry Killigrew to Scotland. He was ordered to conſole with her over her troubles, and to congratulate her upon her ſucceſs over her rebellious nobility. She aſſured Mary that by public proclamations ſhe had ordered Morton and his accomplices to depart from her dominions. Yet they were privately encouraged to remain in England, and were certified that they ſhould meet no moleſtation. An ambaſſador arrives from England.

* Keith, p. 335.

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tion. She inſtructed this envoy to complain that Mary had been dealing with Oneile the Iriſh rebel to her prejudice; and though this was actually the caſe, the Queen of Scots diſavowed all knowledge of the matter, and aſſerted her innocence. Complaints were made of diſorders upon the borders; and it was found that mutual offences and hoſtility had been committed. A repreſentation of injury againſt Elizabeth was alſo urged in the protection afforded to Chriſtopher Rookſby by the Queen of Scots. The deſperate fortunes of this man had induced him to adventure in political devices. To aſſiſt in appearance the Queen of Scots, and to betray her ſecrets to the Engliſh court, were the dangerous purpoſes in which he engaged himſelf. One Laſſels, a partizan of Mary's in the North of England, furniſhed him with a recommendation to her. At different times he was admitted into her preſence, affected a warm zeal for her right and titles to the crown of England, and gave her notice of many Engliſh papiſts, who were diſpoſed rather to act with him, who was a Roman catholic, than with Sir Robert Melvil, her ambaſſador in the court of Elizabeth, who was ſtrenuous for the new opinions. In the mean while he was induſtrious to convey intelligence to ſecretary Cecil; and he informed him that Mary had received letters from Stanley, Herbert, and Darcy, gentlemen of conſequence upon the Engliſh borders; that ſhe expected to win to her the duke of Norfolk, and the earls of Derby, Shrewſbury, Northumberland, Weſtmoreland, and Cumberland; that an inſurrection was intended in her behalf; and that to ſupport her rights and pretenſions to the crown of England, intrigues were tranſacting with the Pope, and the kings of France and Spain. Other advices were communicated to this

Practices of Rookſby.

this miniſter by Rookſby, who was not deficient in addreſs, and who had contrived to impoſe upon the biſhop of Roſs and other friends to the Queen of Scots. By the credit, however, of Sir Robert Melvil in the court of Elizabeth, his practices were diſcovered; and a proper information of them was ſent to Mary at a very critical period. When Killigrew urged the complaint of his miſtreſs that the Queen of Scots gave her protection to Rookſby, the order for his apprehenſion was immediately given. His cyphers and papers, among which there were letters from Cecil, were examined; and he himſelf, after falling upon his knees before the Queen, acknowledging his guilt, and craving her pardon, was committed to cuſtody. Killigrew, who thought to facilitate the treachery, and to advance the reputation of this informer by the remonſtrances he had made, was confounded to receive an intimation that he was a priſoner, and that the Queen of Scots was ready to ſurrender him to the command of her ſiſter. No hint, however, was dropt of the diſcovery of the connexion between him and ſecretary Cecil. Mary did not wiſh to exaſperate a miniſter who was profuſe to her of his profeſſions of friendſhip, and who was known to be capable of exerciſing an unremitting and unſcrupulous aſſiduity in the gratification of the moſt malignant paſſions of his Queen *.

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The time of the delivery of the Queen now approaching, ſhe addreſſed letters to her nobility, calling them to Edinburgh, and deſiring them to reſide there at this juncture. The King, with the earls of Argyle and Athol, Murray and Marre, attended in the caſtle near her perſon; and the earls of Huntley and Bothwel, with

The birth of James VI.

Sir James Melvil carries the intelligence to Queen Elizabeth.

* Haynes, p. 445, 446. Melvil, Memoirs, p. 135.

Book II. other nobles, were lodged within the town. Upon the nineteenth day of June ſhe was brought to bed of a prince; an event ſo deſirable and happy, that it was celebrated with an exceſſive triumph and exultation. In four days this intelligence, ſo intereſting to both nations, was carried to London by Sir James Melvil. Elizabeth, upon the evening of his arrival, was at Greenwich, giving a ball to her courtiers, and indulging herſelf in dancing and gaiety. The news was immediately conveyed to ſecretary Cecil, but with a deſire to conceal it till Sir James Melvil ſhould be preſented to the Queen. He obeyed not, however, the injunction. He whiſpered the event in the ear of Elizabeth, who inſtantly forgot all her mirth and chearfulneſs; throwing herſelf into a chair in an agony of ſorrow; her head reſting upon her boſom, and her arms hanging down as if without animation. To her maids of honour, who came to her in ſurprize at ſo ſudden a change, ſhe melted into tears, and cried out, "the Queen "of Scots is the mother of a fair ſon, while I "am but a joyleſs and ſolitary maiden." The next morning, however, when Melvil had his audience, ſhe was ſo well recovered of her ſadneſs, that ſhe received him with a happy countenance, and in gorgeous apparel. She told him, that the pleaſure of the intelligence he brought was ſo great, that it had relieved her of a heavy ſickneſs which had oppreſſed her for ſome days; and ſhe thanked him for the extreme diligence with which he had executed his journey. He then requeſted her, in the name of his miſtreſs, to be godmother to the young prince, and inſinuated that a fortunate opportunity now offered itſelf for the two Queens to have an interview. She replied with a ſmile, that her eſtate and affairs might not permit her to perform in perſon the office

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office to which she was invited; but that her place should be supplied by some ladies of high distinction, and the most honourable of her nobles. Melvil now pronounced the thanks of his Queen for the kind consolation she had sent by Killigrew her ambassador; and took occasion to declare, that his mistress had never interfered in the business of Ireland; and that she had ordered Rooksby to be delivered up to her at her pleasure. At the same time he neglected not to extol her friendship in commanding the Scottish rebels to leave her dominions. He yet ventured to observe, that reports were abroad, that they had disobeyed her proclamations, and were entertained by some of her subjects. She protested loudly her belief that they had actually departed out of England, but condescended to assure him, that if it was found that they had contemned her authority, she would punish them with an exemplary rigour *.

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Amidst the other cares of his embassy Melvil attempted to procure from Elizabeth a declaration of Mary's titles to the crown of England. The duke of Norfolk, and the earls of Leicester and Pembroke, with other English noblemen,

And proposes the declaration of Mary to be the presumptive heir of the crown of England.

* Melvil, Memoirs, p. 138, 139. Afterwards when the earl of Murray was made regent, Morton sent his thanks to Elizabeth for her protection at this time, by Throgmorton her ambassador. In a letter from Throgmorton to Sir William Cecil, dated 1st September, 1567, there are these words: "Then the earl of Morton said,—I pray you to render my "humble thanks to her majesty, [the Queen of England], "for the favour I received in the time of my trouble in her "realm." Keith, p. 458. Queen Elizabeth herself even instructed Throgmorton to reproach him with ingratitude, by a letter from her dated in July, 1567, for the refuge afforded to him in her realm, "when she might have delivered him "to death." Keith, p. 429.

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encouraged him to engage in this meaſure from the hope that the birth of a prince might remove her delicacy, and induce her to gratify both kingdoms, by aſcertaining the ſucceſſion beyond the poſſibility of a doubt. Melvil, accordingly, preſſed her compliance, with all his circumſpection and ability. But by the warineſs of Cecil, ſhe had been informed of ſome important and ſecret intrigues of his miſtreſs with her ſubjects; and ſhe was alarmed with the ſtrength of Mary's partizans. Diſſembling, however, her anxiety and diſpleaſure, ſhe ſeemed to enter into his views; acknowledging her approbation of the legality of her ſiſter's claims; inſiſting upon the birth of a prince as a powerful ſpur to an immediate inquiſition into her rights; and expreſſing a wiſh that the Engliſh lawyers, who had been conſulted upon the point, would uſe their utmoſt expedition in framing their opinions. She avoided, notwithſtanding, to take any formal ſtep towards the execution of this buſineſs; and Melvil left her court with a ſettled perſuaſion of her rooted hatred and jealouſy of the Queen of Scots *.

Machinations of the earl of Morton and his accomplices.

Murray contracts a friendſhip with the earl of Bothwel.

In the mean time, the earl of Morton and his accomplices were anxious to return to Scotland, and to recover their importance. The reception they had met with from the earl of Bedford correſponded with the intimacy which ſubſiſted between that nobleman and the earl of Murray. Nor were they wanting in their endeavours to recommend themſelves in England. They courted the countenance of Sir Nicholas Throgmorton, making known to him their ſufferings, and the ſpeedy deliverance they expected by the influence of their friends in the Scottiſh court †.

* Keith, p. 339, 340. Melvil, Memoirs, p. 140.
† Record, ap. Goodal, vol. i. p. 265, 266.

Sir

Sir William Cecil was attentive to them; and, notwithſtanding the proclamations of Elizabeth, they apprehended not any diſturbance from her. It conſiſted with her policy to command them from her dominions, and to afford them her protection. With Randolph they maintained a regular correſpondence; and, when Mary, upon diſcovering inconteſtible evidence of the guilt of this reſident in fomenting the rebellion of her ſubjects, ordered him to depart out of her realm, they communicated their affairs with Killigrew, his ſucceſſor *. But it was upon the earl of Murray that they reſted with the firmeſt aſſurance; and he diſappointed not the hope they entertained of him. He oppoſed himſelf to the violence of the King, who after his declarations of innocence in the aſſaſſination of Rizzio, became a moſt zealous enemy to the earl of Morton, and the conſpirators. The conteſt was moſt unequal; and while this artful politician ſounded widely throughout the kingdom, the flagitious behaviour and treachery of his ſovereign, the unhappy prince giving way to his paſſions, thought to rid himſelf by force of his opponent. Too imprudent, however, to conceal his deſign, or too timid to ſtrike the blow, he only expoſed himſelf the more to his adverſary †. It was not difficult for the earl of Murray to reconcile himſelf to his ruin; and the ſteps by which he advanced to it were hardy and ſecure. The breach between the Queen and her huſband was already too great; and he ſtudied to make it irreparable. The earl of Bothwel had acquired an aſcendancy in her councils; and he courted him with aſſiduities and flattery. Mary

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* Haynes, p. 447, 448. Keith, p. 344. Append. p. 169. † Camden, p. 403.

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herſelf was eager to bind them together in a laſting amity, and fancied to add to her happineſs by the firmneſs of their union. With an unſuſpicious activity ſhe was inſtrumental to her own miſery and afflictions; and theſe ſtateſmen ſcrupled not to invite one another to cordiality and confidence, while their hearts were jealous and provoked, and their heads were teeming with projects which tended to gratify their private ſelfiſhneſs and ambition.

The dangerous ſpirit of theſe ſtateſmen.

James Hepburn earl of Bothwel was born to an opulent fortune, and to an hereditary command over numerous retainers. His fidelity to the crown had diſcovered itſelf during the ſtruggles of the reformation. His zeal, ſervices, and ſufferings in that boiſterous period, were diſtant recommendations of him. In the rebellion excited by the earl of Murray his exertions were later and more intereſting. But what chiefly endeared him to Mary, was the ſupport he had afforded her againſt the murderers of David Rizzio. It was by his means, in a great meaſure, that ſhe was enabled to recover her importance, and to chaſe them out of her kingdom. Her gratitude to him was exceſſive; and he improved the favourable impreſſions he had made, with unceaſing courteſy and attention. By her favour he roſe to exerciſe all the power of government; and to this diſtinction he was little entitled either by his abilities or his virtue. He was inſenſible to glory, unſuſceptible of patriotiſm, and unpractiſed in buſineſs. A boundleſs love of power, a fearleſs corruption, and a riotous prodigality were his characteriſtics. In public and in private life he was equally unprincipled. His natural diſpoſitions led him into improper courſes, and habitude fortified him in them. He could ſcheme the moſt criminal enterprizes, and was deſperate enough

enough to put them in execution. He ſported with religion, honour, and probity. In proſperity he was inſolent; in misfortune fawning. A poliſhed exterior rendered his vices the more dangerous. He was in the prime and vigour of life; and his perſon and behaviour were attracting *. A paſſion for pleaſure involved him in intrigues and gallantry. A taſte for trifles, elegance of addreſs, and ſoftneſs of manner, ſo alluring to women of every condition, heightened the complaiſance with which they naturally ſurvey the imperfections of the voluptuous. But while he was prone to every folly, and to every crime, and was anxious to perpetuate his diſtinction and enjoyments, his eager and narrow policy did not permit him to ſee into conſequences and futurity. To eſtabliſh himſelf in greatneſs he was ready to perpetrate whatever is moſt flagitious, and could think without emotion of treachery, poiſon, and the dagger; but he was incapable to ſecure the advantages and the profit of his wickedneſs. The earl of Murray, whom he wiſhed to employ as a ladder to advance him to grandeur, penetrating into his character, availed himſelf of it; and he was utterly overthrown by a man, whoſe ambition was not leſs extravagant, but whoſe abilities, diſſimulation, and refinement, were far more tranſcendant and profound.

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The defection of the King from the exiled nobles operated to the advantage of the Queen, but did not ſerve to recommend him. The covenants and obligations into which he had entered with her rebellious ſubjects, were laid before her by his enemies †. His deſire to intrude himſelf into

The eſtrangement of the King and Queen.

An attempt to reconcile them.

* Inſtructions to the biſhop of Dumblain, ap. Keith, p. 388. Lord Hailes, Remarks on the Hiſtory of Scotland, p. 167. † Letter from Randolph to Cecil, ap. Robertſon's Appendix, p. 297.

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Book II. her power, his attempt to fix a ſtain upon her honour, and his guilt in the murder of Rizzio, were all contraſted with his declarations of innocence, and expoſed with malicious exaggeration. The acceſſion of the earl of Lennox to his ſchemes did not remain in concealment, and without a commentary. The diſguſts of the Houſe of Hamilton, who conſidered the King as an intruder upon their rights, the ſedulous induſtry of the friends of the earl of Morton and the conſpirators, and the rude and perſevering eloquence of the proteſtant divines, all concurred to inflame their rupture. The inſidious policy of the earl of Murray ſeized and improved every circumſtance to his prejudice. But amidſt all the unworthineſs of the prince, and all the painful attention which was taken to blaſt his fame, and to deepen his miſery, Mary could not diveſt herſelf altogether of regard and compaſſion for him. In the extremity of his abjectneſs ſhe forgot not the dignity to which ſhe had exalted him; and her behaviour, though cold and diſtant, was decent and reſpectful. Caſtelnau, at this time ambaſſador extraordinary from France, was induced to conceive that a compromiſe might be effected between them, and a period be put to their differences. He had been introduced to her at Alloa, whither ſhe had gone for the advantage of a healthful air; and after congratulating her upon the birth of the prince, he employed his cares in this friendly office. Nor were they altogether unſucceſsful. A reconciliation actually took place; and the King and Queen were two nights together. It ſeemed that a happy ſcene of events was about to exhibit itſelf. Time and habitudes might confirm their cordiality. With favourable ſymptoms of returning affection they proceeded to Megatland in Tweedale, to enjoy the diverſion

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of

of the chace, attended by the earls of Huntley, Murray, and Bothwel, and by other nobles. From thence they paſſed to Edinburgh, and then took the road to Stirling *.

If the King had been able and prudent he would, doubtleſs, have availed himſelf of an opportunity ſo proper for regaining his importance. By moderation, repentance, and gratitude he might have drawn back to him the attachment of the Queen. But his haughtineſs was ſtill unſubdued; and indulging himſelf in the hope of being immediately entruſted with power, the diſappointment excited his diſcontent and peeviſhneſs. Having expoſed himſelf to the hatred of the nobles, he ought not inſtantly to have expected to recover their eſteem; yet he had flattered himſelf with this wiſh; and when inſtead of beſtowing their obeiſance, they treated him with ſcorn, he was infinitely ſhocked and diſconcerted. With no addreſs to win partizans, with no penetration to act upon a ſyſtem, he yielded to the ſmart of his feelings, and became ſullen and fretful. When the Queen, therefore, invited him to return with her to her capital, he choſe to continue at Stirling, and diſregarded her tenderneſs. His ſhallow underſtanding holding out to him no real hope and no ſolid reſource opened itſelf to whimſey and caprice. Though contemptible at home, he fancied he could draw attention abroad, and formed the ſcheme of tranſporting himſelf to a foreign country †.

The impradence of the King.

He thinks of retiring to a foreign country.

September.

To Monſieur du Croc, the French reſident, who had attended Mary at Stirling, he ventured to communicate his chimerical project. This ſtateſman, who was venerable with age, and full of experience, explained to him its wildneſs and

The condeſcenſion and prudence of the Queen.

* Keith, p. 345. † Knox, p. 436.

inefficacy;

Book II. 1566. inefficacy; and could hardly believe that he was serious. To his father, the earl of Lennox, who paid him a visit at this place immediately upon Mary's departure from it, he likewise communicated his intentions; and all the entreaties, arguments, and remonstrances of this nobleman to make him drop his design were without success. He provided a vessel, and kept it in readiness to carry him from his dominions. The earl of Lennox, after returning to Glasgow where he usually resided, gave way to his paternal anxieties, and solicited the Queen by letter to interfere with her authority and persuasions; and upon the evening
29 Sept. of the day in which she received this dispatch, the King alighted at Holyrood house. But the names of the nobles who were with the Queen being announced to him, he objected to three * of them, and insisted that they should be ordered to depart, before he would enter within the gates of the palace. The Queen alarmed with a demeanour so rude, so petulant, and so unwarrantable, condescended to leave her company and her palace to meet him; and it was with great difficulty, that she was able to entice him into her own apartment. There he remained with her during the night. She communicated to him his father's letter, and employed every art and blandishment to engage him to explain his perverse resolution. But he gave her no return or satisfaction. He was unmoved with her kindness; and his silence, dejection, and peevishness augmented her distress. In the morning, she called her privy council to assemble in the palace, and invited to her Monsieur du Croc, the French envoy. By the bishop of Ross she explained the intention of the King, and made known the dispatch of the earl

* The earls of Argyle, Murray, and Rothes.

of

of Lennox. The privy council were urgent to know the reaſons of a voyage that appeared to them ſo inexplicable; and earneſtly preſſed the King to unboſom himſelf. If his reſolution proceeded from diſcontent, and if there were perſons in the kingdom who had given him cauſes of offence, they aſſured him, that they were ready, upon his information, to take the neceſſary ſteps to make him eaſy and happy. No quality or rank ſhould exempt thoſe from enquiry and puniſhment who had committed miſdemeanors againſt him. This, they ſaid, conſiſted with his honour, with the honour of the Queen, and with their own. If, however, he had received no ſufficient provocation to juſtify his behaviour, and if he had no title to complain of actual injuries, they admoniſhed him to remember that his flight from a Queen ſo beautiful, and from a kingdom ſo antient and noble, would expoſe him to the greateſt ridicule and diſgrace. They pointed out the happineſs of his fortune, and counſelled him not to part lightly with all its flattering advantages. The Queen herſelf taking his hand into her's, and preſſing it with affection, beſought him to ſay by what act or deed, ſhe had unfortunately induced him to conceive ſo fatal a purpoſe. Her memory did not reproach her with any crime or indiſcretion which affected his honour, or her integrity; yet, if without any deſign upon her part, ſhe had incurred his diſpleaſure, ſhe was diſpoſed to atone for it; and ſhe begged him to ſpeak with entire freedom, and not, in any degree, to ſpare her. Monſieur du Croc then addreſſed him, and employed his intereſt and perſuaſions to make him reveal his inquietudes. But all this reſpectful attention and ceremonious duty were ineffectual, Obſtinately froward, he refuſed to confeſs that he intended any

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Book II. 1566. any voyage, and made no mention of any reaſons of diſcontent. He yet acknowleged with readineſs, that he could not with juſtice accuſe the Queen of any injury or offence. Oppreſſed with uneaſineſs and perturbation he prepared to retire, and turning to her, ſaid, 'adieu Madam! 'you ſhall not ſee me for a long time.' He then bowed to the French envoy, and to the lords of the privy council *.

He haſtened back to Stirling, leaving the Queen and her council in ſurprize and aſtoniſhment. They reſolved to watch his motions with anxiety, and could not conjecture what ſtep he would take. Mary, to prevent the effect of rumours to her diſadvantage, diſpatched a courier to advertiſe the King of France and the Queen mother of his conduct. It was not poſſible that a prince ſo meanly endowed with ability could make any impreſſion upon her allies. Nor did it appear to be in his power to excite any domeſtic inſurrection or diſturbance. He was univerſally odious; and, at this time, the Queen was in the higheſt eſtimation with the great body of her ſubjects †. After paſſing ſome days at Stirling, he addreſſed a letter to the Queen, in which, after hinting at his deſign of going abroad, he inſinuated his reaſons of complaint. He was not truſted by her with authority, and ſhe was no longer ſtudious to advance him to honour. He was without attendants; and the nobility had deſerted him. Her anſwer was temperate and ſenſible. She called to his remembrance the diſtinctions ſhe had conferred upon him, the uſes to which he had put the credit and reputation accruing from them, and the heinous offences he had encouraged in

* Keith, p. 346, 347, 348, 349. † Letter from Du Croc to the archbiſhop of Glaſgow, ap. Keith, p. 346.

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her ſubjects. Though the plotters againſt Rizzio had repreſented him as the leader of their enterprize, ſhe had yet abſtained from any accuſation of him, and had even behaved as if ſhe believed not his participation in the guilt of that project. As to the defects of his retinue, ſhe had uniformly offered him the attendance of her own ſervants. As to the nobility, they were the ſupports of the throne, and independent of it. Their countenance was not to be commanded but won. He had diſcovered too much ſtatelineſs to them; and they were the proper judges of the deportment that became them. If he wiſhed for conſequence it was his duty to pay them court and attention; and whenever he ſhould procure and conciliate their regard and commendation, ſhe would be happy to give him all the importance that belonged to him *. Book II. 1566.

Interceſſions are made for Morton and his aſſociates.

While the earls of Murray and Bothwel were engaged with malicious induſtry in provoking the hoſtility of the nobles to the King, in ſtretching out to the Queen the full dimenſions of his folly and worthleſſneſs, and in irritating the odium entertained againſt him by the people, they neglected not the intereſts of Morton and his accomplices. Lethington, who had a ſtrenuous friend in the earl of Athol, was the firſt of the conſpirators who partook of the royal favour. He was permitted to preſent himſelf to the Queen at Alloa, during her reſidence there, after her delivery. Murray was ſolicitous to gain this penetrating ſtateſman; and knew that his admirable and pathetic eloquence would be uſeful in pleading the cauſe of the earl of Morton and his aſſociates. To urge her to extend her mercy to theſe conſpirators, inceſſant importunities were

* Keith, p. 350.

employed.

Book II. employed. Her courtiers ſeemed unanimous in
1566. deſiring this meaſure. The ladies of Argyle, Murray, and Marre, who were conſtantly in her company, concurred to preſs it; and Caſtelnau, the ambaſſador extraordinary from France, who had great authority with her, ſpoke warmly in their favour. But as the chief blame of the aſſaſſination of Rizzio reſted upon the earl of Morton, ſhe could not be eaſily reconciled to him. While lord high chancellor of the kingdom he had taken the direction of a tranſaction moſt execrable in itſelf, moſt injurious to the laws he was called to protect, moſt inſulting to her dignity, and which by its mode of perpetration put to hazard her own life and that of her infant. As a Queen and as a mother ſhe felt all the atrociouſneſs of this inſult; and to be perpetually teized to pardon its perpetrators, and never to be ſolaced with any comfort for ſo heavy an injury, was moſt vexatious to her. She could neither repreſs the vivacity of her indignation, nor the warmth of her reſentment; and many a great ſigh eſcaped from her while ſhe thought of that foul deed *.

The earl of Morton raiſes diſturbances upon the borders.

Mary goes to Jedburgh to hold juſtice courts.

The earl of Morton, in the mean while, was exciting commotions upon the borders; and as no ſettled peace had prevailed in theſe diſtricts ſince Mary's marriage, there was the ſtronger probability that he would ſucceed in his attempt. Proclamations were iſſued to call her ſubjects to arms; and ſhe proceeded to Jedburgh to hold juſtice courts, and to puniſh traitors and diſorderly perſons. The earl of Bothwel, who was lord lieutenant of the marches, went before her a few days to take the command of the ſtrength of the country. There were in her train the earls of Huntley, Murray, Athol, Rothes, and

* Keith, Append. p. 169.

Cathneſs;

Cathneſs; the lords Levingſton, Arbroth, Seton, Yeſter, Borthwick, and Somervile; with many freeholders and gentlemen. While ſhe was at Jedburgh Bothwel encountered the Elliots, an unruly tribe of plunderers, whoſe proneneſs to miſchief was encouraged at this period by the Engliſh wardens, and the artifices of the earl of Morton. In this engagement he had the misfortune to receive ſeveral ſlight wounds, and was carried to his caſtle of Hermitage. The inſurgents among whom he was infinitely impopular from the inſolence of his carriage had vowed to withſtand him to the uttermoſt, and to yield only to the Queen in perſon *. Incited by this circumſtance, and fond of appearing in the field, and of recalling to her people the renown of her anceſtors, Mary with a proper attendance took the road to his caſtle. She was anxious not only to conſole him for his misfortunes, but to profit by his intelligence, and to concert the meaſures to be purſued; and after converſing with him for a few hours ſhe returned to Jedburgh †. Book II. 1566.

From the ſtate of the affairs of her kingdom her mind had been diſturbed and uneaſy. Anguiſh and concern, the fatigue of her journey ‡, the agitation of her ſpirits, and the inclemency of the night air affecting her conſtitution, ſhe contracted a ſharp and dangerous fever. Extreme ſickneſs and repeated ſwoonings preceded the violence of her diſtemper. During eleven days her ſtruggle continued, and her life was uncertain. Her nobles apprehenſive of the event iſſued a proclamation to ſecure the public peace. Struck with the inſignificancy of human grandeur ſhe She falls ſick.

* Letter from Bedford to Cecil, ap. Goodal, vol. i. p. 305. † Keith, p. 351. Append. p. 135. ‡ The diſtance of Jedburgh from the Hermitage is about eighteen Scottiſh miles.

Book II. 1566. prepared herſelf for her diſſolution; calling to her the biſhop of Roſs to tell him to bear witneſs that ſhe had perſevered in the religion in which ſhe had been nouriſhed and brought up; taking the promiſe of her nobles that after her death they would open her laſt will and teſtament, and pay the reſpect to it that conſiſted with the laws; recommending to them the rights of her infant ſon, and the charge of educating him to ſuch advantage, that he might ſway with glory the ſceptre of his anceſtors; and entreating them to abſtain from all cruelty and perſecution of her Roman catholic ſubjects. To Monſieur du Croc, the French envoy, ſhe entruſted her kind commendations to Charles IX. the Queen mother, and her friends of the Houſe of Lorraine; and expreſſed a zealous wiſh for the continuance of the ancient amity of Scotland and France. But though her danger was extreme, the relief communicated by theſe tender offices, the ſtrength of her youth and conſtitution, and the remedies of her phyſicians, got the better of her malady; and a favourable criſis announced her returning health *.

The unkindneſs of the King.

During the continuance of her ſickneſs, the King, notwithſtanding the polite and affectionate terms in which ſhe had lately written to him, kept himſelf at a diſtance. When ſhe was ſo far recovered as to be out of danger, he made his appearance; and being received with ſome formality and coldneſs, he retired ſuddenly to Stirling. The licentious borderers, affected by her ſituation, deterred by the preparations againſt them, and unſupported by the arms of England, dropped their hoſtility, and returned to their al-

She recovers and makes a tour upon the borders.

* Letter from the biſhop of Roſs to the archbiſhop of Glaſgow, ap. Keith, Append. p. 134, 135.

legiance.

legiance. Mary, when able to travel, viſited Kelſo, Werk Caſtle, Hume, Langtoun, and Wedderburn. She was then deſirous to take a view of Berwick, and advanced to it with an attendance of a thouſand horſe. Sir John Foſter the deputy warden of the Engliſh marches came forth with a numerous retinue, and conducted her to the moſt proper ſtation from which ſhe might ſurvey it. A full diſcharge of artillery, and all the honours in his power were paid to her. Continuing her journey, ſhe paſſed to Aymouth, Dunbar, and Tantallon. She thence proceeded to Craigmillar where ſhe propoſed to remain till the time of the baptiſm of the prince, which was ſoon to be celebrated at Stirling *. Book II. 1566. November.

About this time Sir Robert Melvil made flattering intimations to Mary of her high popularity with the Engliſh nation. The birth of her ſon had rouzed all the zeal of her partizans; and there prevailed in England an univerſal deſire that the matter of the ſucceſſion to the crown ſhould be finally eſtabliſhed. The parliament took the point into conſideration with a heat and vehemence that were not uſual to it. The houſe of peers conjured Elizabeth to enſure to her kingdom all the advantages it enjoyed under her government. Her ſubjects were happy to a degree that drew the envy of foreign nations; and to eſtabliſh their fortune it behoved her either to marry, or to fix the ſucceſſion. Whatever choice ſhe would make would be moſt acceptable to them; and they did not wiſh for any firmer ſupports of their greatneſs than the heirs of her body. If, however, her averſion from marriage was inſuperable they deſired not to inſiſt on a matter ſo delicate. But, Debates in the Engliſh parliament about the ſucceſſion.

* Knox, p. 436. Keith, p. 353.

in

Book II. 1566. in this caſe, they conſidered it as her duty to procure a parliamentary declaration of the ſucceſſion. By this meaſure ſhe would give the greateſt joy to her people, and ſtrike the greateſt terror into her enemies. It conſiſted with her wiſdom to look forward to poſterity. For, if ſhe ſhould happen to die without aſcertaining the ſucceſſion, her kingdom would become the inheritance of the ſharpeſt ſword; civil commotions would rage; and amidſt their endleſs train of leſſer calamities, would involve in danger and ruin that religion for which ſhe had contended with ſo much fortitude, and thoſe laws, and that conſtitution, over which ſhe had preſided with ſo much glory. In the houſe of commons the language employed was ſtill ſtronger. It was argued that the affection of the people is the only ſure and impregnable bulwark of the prince; and that the prince can only acquire and ſupport this affection while he is ſtrenuous to promote their welfare during his life, and active to adopt and execute thoſe meaſures which are to operate to their proſperity after his death. The great point in the happineſs of a nation was the certainty in the ſucceſſion. If ſhe meant to retain the love of her ſubjects, and to perpetuate her name in their memory, ſhe muſt, of conſequence, give a determination to this capital article. For if ſhe ſhould refuſe to atchieve this benefit, ſhe could no longer be conſidered as the nurſing parent of her country, but as a ſelfiſh and inclement ſtepmother. They muſt think it her wiſh, that England ſhould live only in her, and rather expire, than ſurvive her. To be in dread of a ſucceſſor was ignoble. She was not hated by her people, and had no reaſon for fear. In their love and duty ſhe poſſeſſed a barrier and ſecurity againſt every danger; and upon the preſent

preſent occaſion her compliance would give a ſpring to their cordiality, and bind more tenderly the ties of their attachment *. Book II. 1566.

Elizabeth was greatly alarmed with theſe ſpirited remonſtrances, and with the vehement anxiety manifeſted by all ranks of her ſubjects for the public declaration of the titles of the Queen of Scots. Nor did the conduct of Mary tend to ſoften her reſentment and paſſions. She inflamed to the greateſt degree the jealouſies of the Engliſh Queen, by addreſſing a letter to the privy council of England in the midſt of theſe heats. She thanked them for the countenance they were diſpoſed to pay to her rights, and encouraged them to perſevere in their ſentiments. As her claims were founded in juſtice, they would bear a ſtrict and impartial ſcrutiny; and when it would pleaſe her ſiſter to bring them to a trial ſhe would gladly acquieſce in her determination. To continue with her in a laſting amity was a matter of which ſhe was highly ambitious; and any favours extended to her would engage her warmeſt gratitude. To the ſame purpoſe a letter ſubſcribed by her chief counſellors was alſo at this time diſpatched to the Engliſh miniſtry †. It was with great difficulty and management, that Elizabeth was able to extricate herſelf from her preſent critical ſituation. She was even obliged to command thirty members out of each houſe to appear before her. By reproof and flattery ſhe endeavoured to divert them from the reſolution to which they pointed. She told them that hypocriſy could walk its rounds under the maſk of liberty and the ſucceſſion; that it was their beſt courſe not to make any experiments upon the patience of their

Mary addreſſes the privy council of England.

* Camden, p. 399, 400. † Keith, p. 354. Append. 136.

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prince; that it was her buſineſs to attend to the concerns of her kingdom; and that ſhe was diſpoſed to manage them with an anxious care. An extraordinary ſubſidy had been voted with a view to reconcile her to the declaration of the rights of the Queen of Scots. This ſhe conſidered as inſulting to her, as ſhe neither wanted nor deſired that any thing unuſual ſhould be done to flatter her. She therefore remitted the fourth payment of the ſupply. By her diſcretion and firmneſs ſhe diſſipated commotions which gave her the greateſt inquietude; and that ſhe might not ſeem to neglect the Queen of Scots upon this occaſion, ſhe expreſſed a lively diſpleaſure againſt James Dalton a member of the houſe of commons, who had uſed expreſſions injurious to her dignity; and ſhe committed to the Tower one Thornton a reader of law in Lincoln's Inn, who had publiſhed a treatiſe calling her titles in queſtion *.

She amuſes the Pope's nuncio, and prevents his entering her dominions.

In conſequence of the confederacy at Bayonne, to which Mary had acceded, ſhe was bound to attempt the reſtoration of the Roman catholic religion. But events had happened which did not permit her to act immediately upon this concert; and her ſituation was now moſt unfavourable for a meaſure ſo ſtrong and ſo impopular. Pius V. intent upon aggrandizing the church, had nominated the biſhop of Mondovi to be his nuncio to her. This eccleſiaſtic was now at Paris, waiting her inſtructions, and having with him twenty thouſand crowns, as an earneſt of the ſupplies which ſhe might expect from the Roman treaſury. The Pope, in an affectionate diſpatch addreſſed to her, urged the early atchievement of the meritorious work to which

* Haynes, p. 449. Camden, p. 401.

ſhe

ſhe had engaged herſelf; and recommended his nuncio as a perſon in whoſe capacity and prudence ſhe might repoſe the moſt unbounded truſt. Mondovi eagerly preſſed her to haſten her orders; and Edmund Hay, a jeſuit, whoſe agency he employed, preſented her with four thouſand crowns. She ſoothed his Holineſs with reſpectful expreſſions; applauding his zeal and vigilance; acknowledging his beneficence; giving him aſſurance of her moſt ſtrenuous exertions to diſpel the deluſions of her people; informing him, that with infinite difficulty ſhe had prevailed with her nobles to permit the celebration of the baptiſm of her ſon after the Roman catholic method; and profeſſing her firm intention to educate the young prince in the light of the true faith *. But in the preſent ſituation of her affairs, ſhe was too penetrating and prudent to think of admitting Mondovi within her dominions. She wrote privately to the cardinal of Lorraine to keep him in good humour at Paris, and to amuſe him with fair pretences; a precaution which in the iſſue was the more offenſive to this prelate, as the growing troubles of her kingdom afforded to him no future opportunity of exerciſing an office which appears to have been highly flattering to his vanity †.

The caſtle of Craigmillar, in which the Queen now reſided, was a retirement ſuited to the diſtraction of her mind. During her late ſickneſs ſhe had expected ſome ſhow of tenderneſs upon the part of the King. His cruel neglect was a mortification which affected her deeply; and while ſhe ſuffered from his ingratitude and haughtineſs,

She falls into melancholy.

The artful aſſiduities of Bothwel.

* Conœus, vit. Mar. ap. Jebb, p. 50, 51, 52. † Thuanus Hiſt. ſui Temp. lib. xl. Keith, Append. p. 135. Burnet, Hiſt. of the Reform. vol. iii. p. 325. and Records, p. 366.

Book II. 1566. she was not without suspicions of his attempts to disturb the tranquillity of her government. She looked to the past with sorrow, and to the future with apprehension. A settled melancholy invaded her. Neither her youth, her beauty, nor her crown could protect her from despondence; and her imagination, instead of relieving her inquietudes, fostered them. In the bitterness of her anguish she often wished for death to put a period to her afflictions and existence *. Her nobles, who were caballing to her prejudice, remarked her condition, and took advantage of it. Bothwel redoubled his efforts to heighten the favour which his services had made her conceive for him. He seemed to have no cares but for her; sharing her griefs, administering consolations, inviting her confidence by the show of delicacy, friendship, and disinterestedness, sharpening her resentment against her husband by affected regrets for his unworthiness, describing the happiness she might have known if her choice had been more fortunate, and seeking to cure her sickness and dejection by kindling in her bosom a new flame.

The conference at Craigmillar on the subject of a divorce.

While Bothwel felt the force of the beauty of the Queen, and was animated with the prospect of dominion, Murray inspirited his practices, and encouraged his hopes. A divorce would annihilate for ever the consequence of the King, and leave a full liberty to the Queen to contract a new alliance. In conjunction with the earl of Bothwel and with Lethington he turned over this project in his mind; and still attentive to strengthen himself by the earl of Morton and his associates, he resolved that their pardon and return should be the reward of the favour of se-

* Letter of du Croc, ap. Keith, Introd. p. vii.

parating

parating the Queen from a huſband whoſe follies and weakneſſes were exceſſive and incurable. As the earl of Argyle had been engaged with Murray in the rebellion to diſturb her marriage with Darnley, and as the murder of Rizzio by Morton and his friends had effected the re-eſtabliſhment of their importance, by putting a ſtop to the parliament, which meant to paſs their attainder, little doubt was entertained of his acquieſcence in a deſign, which, while it would enable him to diſcover his gratitude, would augment his conſideration. He acceded accordingly to the propoſal made to him by Murray and Lethington, with the reſtriction that nothing ſhould be done without the conſent and approbation of the Queen. They were next ſolicitous to procure the intereſt of the earl of Huntley; and to him they promiſed the full reſtitution of all his lands and offices, and the parliamentary reduction of his forfeiture. This nobleman, like the earl of Argyle, was not averſe from their expedient, if it ſhould conſiſt with the pleaſure of the Queen. Murray and Lethington, Argyle and Huntley now conſulted with Bothwel concerning the execution of the project. They preſented themſelves before the Queen. All the ability and perſuaſion of Maitland were exerted to detail the enormous offences of the King, to inculcate the apprehenſion of danger from his machinations, and to ſet out to the faireſt advantage the propoſal, that if it ſhould pleaſe her to extend her mercy to Morton and his aſſociates, the means ſhould be found to effectuate a divorce between her and her huſband. The four earls joined their arguments and entreaties to preſs the overture; inviting her to conſider it as a matter of ſtate, and which might be managed without any interference upon her part. The

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Queen,

Book II. 1566. Queen, not inſenſible of the advantages of a ſeparation from the King, replied, that ſhe would liſten to them upon condition that the divorce could be obtained, according to the laws, and that it ſhould not in any way be prejudicial to her ſon. If they meant to operate their purpoſe with a diſregard of theſe points, they muſt not think any more of it; for rather than conſent to their views, ſhe would endure all the torments, and abide all the perils to which ſhe was expoſed by her ſituation. The earl of Bothwel inſiſted that the ſeparation would take effect without the ſmalleſt diſparagement to the prince; and he alledged in confirmation of his opinion, that he himſelf had ſucceeded to his eſtates without any difficulty, although a divorce had paſſed between his father and his mother. Lethington ſuggeſted, that after the divorce was pronounced, the King might take up his reſidence in a part of the country that was at a diſtance from her, or that he might retire to another realm. The Queen remarking their keenneſs, and ſomewhat alarmed with it, deſired them to conſider, that the King was young, and might become ſenſible of his errors; and that it might be prudent for her to go herſelf to France for a little time. Lethington urging the buſineſs with warmth, ſaid to her, that ſhe might ſafely confide in men who were of the higheſt power among her nobles, and of the chief conſideration in her council; that they would find a method to reljeve her altogether of her huſband, without the ſlighteſt prejudice to the rights of her ſon; and that the earl of Murray, who was no leſs zealous in the new opinions, than ſhe was in the antient doctrines of the church, would connive at the meaſures to be purſued, and behold their operations with the moſt perfect indifference. The alarm conceived

conceived by the Queen increaſed in force and vivacity. She charged them to attempt nothing that would ſtain her honour, or burden her conſcience; expreſſed a fear that what they might perform under the belief of advancing her proſperity, might provoke her diſpleaſure, and turn to her hurt; and recommended it to them to allow matters to continue in their preſent condition, and to wait with reſignation, like her, till the wiſdom of God ſhould provide a remedy to aſſuage her ſufferings *.

The Queen goes to Stirling.

Preparations were now making for the baptiſm of the young prince; and the Queen, in order to aſſiſt at the ceremony, left Craigmillar, and proceeded to Stirling. But the change of air and of ſituation could not alter her humour, and diſpel her melancholy. To Sir James Melvil ſhe often, at this time, unboſomed her thoughts, and revealed her afflictions; and this courtier being a friend to the earl of Murray, took the opportunity to plead the cauſe of Morton and his aſſociates. The great ſucceſs ſhe had lately obtained in England, he told her ought to make her forget all her enemies of her own nation. They were not important enough to engage her reſentment. Her clemency, moderation, and fortitude ſhould teach her to ſuppreſs all memory of their offences. He urged that by a princely and gentle demeanour ſhe might conciliate univerſally to her the hearts of the ſubjects of both realms. The monarchy of the two kingdoms being about to be united in her perſon, it was his requeſt to her to conſult firſt with God, next with her honour, and then with her intereſt, the means of building up and conſolidating her greatneſs. The poverty and wretchedneſs of

New ſolicitations are made for the earl of Morton and his aſſociates.

* Goodal, vol. ii. p. 316.

exile

Book II. 1566. exile had already punished severely the earl of Morton and his associates. To carry vengeance farther, instead of serving any useful or noble purpose, might engender desperate enterprizes. On the contrary, to forgive them would convert them from hostility to friendship; and exciting their gratitude and services, augment the public welfare and felicity. The earls of Murray and Marre endeavoured to fortify the reasonings of Sir James Melvil; and as they had artfully contrived to connect the case of the rebels with the affairs of England, they so far prevailed with her, that she consented to permit the earl of Bedford to employ his good offices in their behalf *.

The arrival of the earl of Bedford from England.

This nobleman was now upon his way to Stirling, as ambassador from the Queen of England. Mary dispatched Sir James Melvil to conduct him to her court; and as it was possible that many reports injurious to her had reached him at a juncture so busy and critical, this courtier was ordered to confute them by detailing to him the real state and condition of her affairs. Bedford, having lately discovered himself to be a warm advocate to her succession to the English crown, she was inclined to treat him with a flattering respect. He was accompanied by many persons of distinction; he had a train of eighty horse; and he brought with him as a present from his Queen a golden fount of high value, and exquisite workmanship †.

The baptism of the prince. 17 Dec.

The company for celebrating the baptism were assembled in Stirling castle. The countess of Argyle represented the Queen of England as godmother; the severity of the season not permitting that princess to send any of the ladies

* Melvil, Memoirs, p. 148. † Ibid. p. 151. The fount weighed three hundred and thirty-three ounces, and was valued at 1043 l. 19 s.

of

of her court*. The king of France and the duke of Savoy as godfathers were perſonated by their ambaſſadors the count de Brienne and the marquis de Chambery. The prince was carried from his chamber to the chapel by the French ambaſſador, between two lines of barons and gentlemen, who held in their hands tapers of wax. The earls of Athol and Eglinton, the lords Semple and Roſs, being of the Popiſh perſuaſion, carried the great ſerge of wax, the ſalt, the cude, and the baſon and ewer. The archbiſhop of St. Andrews received the prince in the entry of the chapel, and was aſſiſted by the biſhops of Dunkeld, Dumblain and Roſs. The prieſts and ſingers of the chapel appeared in their habits and copes. The counteſs of Argyle holding up the prince, the ſacrament of baptiſm was adminiſtered by the archbiſhop of St. Andrews according to the ceremonies of the Romiſh church; with the exception of the ſpittle, which was prohibited by an expreſs injunction from the Queen†. The earl of Bedford, by the command of Elizabeth, avoided to witneſs ceremonials which were repugnant to his conſcience, and to the religion of his country. The Scottiſh nobles of the Proteſtant perſuaſion ſtood alſo without the doors of the chapel; a liberty for which they had applied, and in which they were readily indulged by the Queen. After the baptiſmal rites were performed, the name and titles of the prince were three times proclaimed by the heralds to the ſound of trumpets. He was called and deſigned Charles James, James Charles, prince and ſteward of Scotland, duke of Rothſay, earl of Carrick, lord of the Iſles, and baron of Renfrew‡.

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* Inſtructions to the earl of Bedford, ap. Keith, p. 356. † Spotſwood, p. 197. Goodal, vol. i. p. 320. ‡ Crawford, Memoirs, p. 19. Spotſwood, p. 197.

To

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To defray the extraordinary expence of this occaſion, a tax had been granted to the Queen of twelve thouſand pounds *; and exceſſive rejoicings and prodigal entertainments did honour to the prince, and continued during the ſtay of the foreign ambaſſadors. The Scottiſh nobles

* There is ſomething remarkable in the method of granting this taxation. It did not take place in parliament as an act of the three Eſtates. It was an ordination of the privy council; and the record is in theſe words. "Sederunt "Georgius Comes de Huntlie, Archibaldus Ergadiæ "Comes, Jacobus Moraviæ Comes, Jacobus Comes de "Bothuill, Joannes Comes de Atholl, Georgius Comes de "Caithnes, Andreas Comes de Rothes, Joannes Archiepiſ- "copus Sti Andreæ, Alexander Epiſcopus Candidæ Caſæ, "Joannes Epiſcopus Roſſen. Adam Epiſcopus Orchaden. "Robertus Epiſcopus Dunkelden; Commiſſarii Burgorum, "Edinburgh, Dundie, Aberdein, Striuilling, Perth, St. "Androis, Lithgow, Haddington; Theſaurarius, Compu- "torum Rotulator, Clericus Regiſtri, Clericus Juſticiariæ, "Advocatus. Taxatioun grantit of Twelve thouſand Pounds, "Forſamekill as ſum of the greiteſt Princes in Chriſtendom "hes erneſtlies requirit of our Soverans, that he thair Am- "baſſatouris thai may be Witneſſes and Goſſepis at the "Baptiſme of their Majeſties deireſt Son, the native Prince "of this Realm, quhais Requiſitioun being baith reaſon- "abill and honourabill, thair Majeſties hes gladlie conde- "ſcendit thairunto, and daylie lukis for the arryving of the "ſaids Ambaſſatouris; for the quhilk Purpois honourabill "Expenſes will be requiſite, quhilk movit their Majeſties "to expone the Mater to a gude Numer of the Prelatis, "Nobillitie and Commiſſionaris of Burrowis conveint this "Day to that Effect: And thai underſtanding the Occa- "ſioun to be ſa neceſſarie, tending to the Honour and Eſti- "matioun of our Soverans their Realme, and commoun "Weill thairof, hes all with one Conſent and Voyſe, liberallie "and voluntarie grantit to their Majeſties, for Supplying "and Relief of the ſaids Expenſes, ane Taxatioun of "Twelve thouſand Pounds, to be payit be the ſaids Eſtaitis "at the laſt Day of November nixt to cume, in maner fol- "lowing; that is to ſay, Six thouſand Pounds be the Spi- "rituall Eſtait, Four thouſand Pounds be the Baronis and "Frehaldaris, and Twa thouſand Pounds be the Burrowis, "in compleit Payment of the Soume of Twelve thouſand "Pounds." Keith, p. 359.

were

were not leſs ambitious than Mary to pay their court to the earl of Bedford; and what deſerves to be remembered as a ſtriking feature of the times, before conducting him to the public banquet, they every day waited upon him to carry him to hear the ſermons of the moſt edifying of the clergy *. Upon the departure of this nobleman, Mary took care to make him a magnificent preſent, and to diſtribute gifts to the principal perſons who attended him †. Book II. 1566.

Amidſt this ſcene of joy the King diſplayed his diſcontents, and added to the wild abſurdities of his conduct. As Elizabeth did not mean to acknowledge him in his ſovereign capacity ‡, it neither The abſurd behaviour of the King.

* Knox, p. 438. † Melvil, Memoirs, p. 153.

‡ It is ſaid by Camden, that Elizabeth expreſsly commanded, "that neither Bedford nor any of his retinue, "ſhould give the title of King to the lord Darnley." Life and Reign of Elizabeth, p. 401. This it is to be conceived was a private mandate; and it was neither proper nor neceſſary to inſert it in Bedford's inſtructions. Accordingly it does not appear there; and, thus too when Elizabeth commanded Tamworth to refuſe to acknowledge Darnley for King, it was not thought prudent to make this order a part of his public credit. The dread of an affront was therefore the reaſon why Mary was inclined, that the King ſhould not preſent himſelf at the baptiſm. At the ſame time, it is very obvious from a letter of Du Croc, that the King was ſufficiently diſpoſed of himſelf not to attend upon that occaſion. Keith, Introd. p. vii. It has been imagined that Elizabeth was not averſe from acknowledging the lord Darnley as King of Scotland; and that it was a prohibition from the Queen which kept him back from the ceremony. But in a ſituation ſo peculiar he would probably have diſputed the power of the Queen; and I have met no argument which ſupports this opinion in the ſlighteſt degree; or that can excite even a doubt of the authority of Camden, whoſe ſources of information were ſure and certain. Melvil has no paſſage in his Memoirs that is contradictory to Camden; and there is no evidence in any letter or record of thoſe times which has been publiſhed, that can juſtify an inference in oppoſition to him. To refuſe the title of King to lord Darnley was conſiſtent with

Book II. 1566. neither accorded with the dignity of the Queen, nor his own, that he ſhould appear at the baptiſm. Nor

with the uniform treatment he had hitherto experienced from Elizabeth; and it is evident from her inſtructions to Bedford, that ſhe had not altered her ſentiments concerning his marriage with the Queen of Scots. There is even reaſon to ſuſpect from the inſtructions, that ſhe once had an intention to inſult Mary by a pertinacious parade of her diſreſpect for Darnley. For Tamworth who had diſcovered ſo much petulance on the ſubject of the marriage upon a former occaſion, and who had refuſed to accept a ſafe conduct, becauſe it was ſigned by Darnley as King, was appointed to attend the earl of Bedford and to aſſiſt him *. She altered, however, her intention in this reſpect, and wrote to Bedford not to expect Tamworth. Beſides, it is to be remarked, that ſhe conſidered Darnley as her ſubject; and that it was a rule with her to permit no honours to be paid to a ſubject without her moſt explicit conſent and approbation. If therefore ſhe had really intended to pay the diſtinction to Darnley of acknowledging him as the King of Scotland, ſhe would, doubtleſs, have ſaid ſo in her inſtructions to Bedford, and have made a parading exhibition of her extreme reſpect and kindneſs. But in her inſtructions there is no intimation of any compliance of this kind; and her ſilence at this time, and in her after tranſactions with Mary, as to a favour ſo important, is a ſtriking confirmation that Camden is well founded, and pointedly exact in his opinion. It is even obſervable of Elizabeth, that after Darnley's death, ſhe does not ſpeak of him in his royal capacity. At a time when all paſſion and prejudice ought to ceaſe, ſhe wrote a letter to the Queen of Scots requeſting a delay of the trial of Bothwel, in which there is this paſſage. "Le pere & amis du *morte gentelhomme* "m'ont

* The inſtructions, after directing Bedford to take a convenient time to preſent the fount of gold, has theſe words. "And ſeeing "there are matters of greater conſequence that you are to treat with "her, and becauſe you deſired one to be with you who is acquainted "with the affairs of that Queen, we have appointed John Tam-"worth, of our privy chamber, to attend and be preſent with you, "when you ſhall treat of that affair." Keith, p. 357. What *that affair* was is not ſaid; but it is probable that it had a reference to the marriage, and the order given to Bedford to refuſe the title of King to the Lord Darnley. It is impoſſible to conceive that a perſon of ſo trifling a character as Tamworth could be aſſiſting to Bedford upon any other occaſion. Here his aſſiſtance might be neceſſary, as in that matter he had acted for the Queen of England.

Nor did he preſent himſelf either at the ceremony, or at the entertainments or maſquerades with which it was celebrated. At this juncture, however, he prepoſterouſly took up his reſidence at Stirling, that he might offend the Queen, and expoſe their quarrel and diſguſts. Du Croc, to whom he was attached, and who was inclined to be partial to him, was ſo ſtruck with the rude impropriety of his behaviour, that he affected to have inſtructions from France to avoid all intercourſe with him; and when he was threatened with a viſit from the King, he took the liberty to inform him, that there were two paſſages to his chamber, and that if his Majeſty ſhould enter by the one, he ſhould be conſtrained to go out by the other *. By her dignity and grace, politeneſs and gaiety, Mary diſtinguiſhed herſelf, and won the admiration of her gueſts; but while ſhe exerted herſelf to perform her part with approbation, ſhe was often compelled to retire that ſhe might indulge in private the bitterneſs of ſorrow. The King had now dropped entirely all thoughts of going beyond the ſea †; but the fancy had ſeized him, that he might diſpoſſeſs

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" m'ont humblement requis, que je vous priaſſe de prolon-
" gue le jour." Goodal, vol. i. p. 352. Robertſon's Appendix, p. 301. This ſurely is not the ſtyle in which Elizabeth would ſpeak of a perſonage whom ſhe had acknowledged as a King. It is not the language in which ſovereigns and princes delight to flatter themſelves and one another. In the conferences too in England, the commiſſioners of Elizabeth avoided to give Darnley the title of King. They call him " Henry Stuart the Queen of Scotland's huſband." Goodal, vol. ii. p. 307. In fine, if Elizabeth had actually paid the diſtinction to Darnley of acknowledging him to be the King of Scotland, it is obvious, that Mary would have conſidered it not only as an honour to herſelf, but as a political advantage to her infant ſon, who was the heir of her claims and titles to the crown of England.

* Du Croc, letter to the archbiſhop of Glaſgow, ap. Keith, Introd. p. vii. † Keith, p. 347.

Book II. 1566. the Queen of her authority by putting the crown upon the head of his ſon, and aſſuming the reins of the government as his father and tutor*. Mary neither deſpiſing too much his machinations, nor too greatly alarmed with them, obſerved his motions with attention; and while ſhe determined to behave to him with mildneſs and moderation, ſhe propoſed to conduct her adminiſtration with a ſway ſo equal and juſt, ſo alluring and gracious, as to excite a univerſal ſatisfaction over the two realms, and even extort the praiſe of her competitors and enemies †.

A league of perpetual amity is propoſed between the two kingdoms.

The inſtructions of the earl of Bedford were not confined to the baptiſm of the prince. Eli-

* Keith, Introd. p. viii.

† Melvil, Memoirs, p. 150. In a letter which Mary wrote about this time to archbiſhop Beaton her ambaſſador at Paris, after mentioning the plot of the King to diſturb her government by crowning her ſon, ſhe has this paſſage. "And for the King our huſband, God knawis alwayis our "part towardis him; and his behaviour and thankfulneſs "to us is ſemblablement well knawin to God and the "Warld, ſpeciallié our awin indifferent ſubjectis ſeis it and "in thair hartis, we doubt not, condemnis the ſamyn. "Alwayis we perſave him occupeit and biſſy aneuch to haif "inquiſioun of our doyngis, qukilkis, God willing, ſall ay "be ſic as nane ſall haif occaſioun to be offendit with thame, "or to report of us any wayis bot honorably; howſoever "he, his father and thair fautoris ſpeik, qukilkis we knaw "want na gude will to make us haif ado, gif thair power "were equivalent to thair myndis. Bot God moderates "thair forces well aneuch, and takeis the moyen of execu-"tion of thair pretences fra thame; for, as we believe, "thay ſall find nane, or verray few approveris of thair "counſalis and devyſis imaginit to our diſpleſor or miſlyk-"ing." Keith, Pref. p. viii. Du Croc in a letter to the ſame ambaſſador ſpeaks of the King in theſe words. "His "bad deportment is incurable, nor can there be ever any "good expected from him, for ſeveral reaſons, which I "might tell you, was I preſent with you. I can't pretend "to foretell how all this may turn; but I will ſay, that "matters can't ſubſiſt long as they are, without being ac-"companied with ſundry bad conſequences." Ibid. p. vii.

zabeth

zabeth alarmed with the boldneſs of her parliament in the matter of the ſucceſſion, was deſirous to put a period to the uneaſineſs which ſhe had felt ſo often from the claims of the Queen of Scots. She requeſted, accordingly, a confirmation of the treaty of Edinburgh; and, upon Mary's declaration that ſhe was never to diſturb her rights either in her own perſon, or in thoſe of her children, ſhe expreſſed her readineſs to enter into engagements to protect and ſecure the eventual titles of the Queen of Scots. She, at the ſame time, informed Mary, that ſhe would empower proper perſons to make a formal examination and report of the laſt will and teſtament of her father Henry VIII. which was ſuppoſed to exclude the Scottiſh line from the ſucceſſion, and which the Queen of Scots conſidered to be a forgery, and to be of no value or authority *. Mary did not heſitate to accept her propoſals; and it was agreed, upon this foundation,

* This teſtamentary deed has been publiſhed; and it appears that Mary and her miniſters were miſtaken in conſidering it as a forgery. Rymer, Foedera, vol. xv. p. 110. 117. Henry VIII. had executed this will under a parliamentary ſanction; and paſſing over the poſterity of his eldeſt ſiſter from whom the royal family of Scotland were deſcended, he called to the crown the Houſe of Suffolk who were the deſcendants of his ſecond ſiſter. Elizabeth had reaſons for not approving this will. She did not like that a parliamentary act ſhould be a foundation for directing the deſtination of the crown; and ſhe was fond of keeping the ſucceſſion in doubt. If this teſtament, however, had been formally examined it might have turned out to the prejudice of the Queen of Scots; and from the neglect with which it was treated by Elizabeth, it may be inferred, that ſhe was friendly to the Houſe of Stuart. The objections which have been ſuggeſted againſt the authenticity of this deed may be ſeen in a letter from ſecretary Maitland to Sir William Cecil, ap. Burnet, vol. i. Records, p. 267. in Murdin's State Papers, p. 366. and in Addit. aux Memoires de Caſtelnau, ap. Jebb, vol. ii. p. 525.

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to conſtitute a league of perpetual amity and friendſhip *. But this league, ſo promiſing in appearance was never to be concluded.

The earl of Morton and his aſſociates are pardoned.

As the Queen had conſented to allow the earl Bedford to ſolicit her in behalf of the earl of Morton and his accomplices, her miniſters did not neglect to urge this nobleman to employ all his weight in a matter ſo agreeable to them. He had alſo an injunction to this purpoſe from Elizabeth †. His influence at a period when Mary was ſtrenuouſly extending her conſequence in England, was very great; and the earls of Bothwel and Huntley preſſed her, at the ſame time, with their warmeſt entreaties. Fatigued with their perſuaſions, rather than convinced by their arguments; intent upon the important object of her titles and ſucceſſion to the Engliſh crown; and conſcious of ſtrength and popularity, ſhe departed from the ſtrong reſolution ſhe had taken, and apprehended not any danger from gratifying their deſires. A few days after the baptiſm, the earl of Morton and ſeventy five of his accompliçes received her unlimited pardon for having ſtabbed Rizzio in her preſence, and for having kept her a priſoner within her palace. The earl of Murray thus obtained the wiſh for which he had laboured with inceſſant aſſiduity; and added to his faction a partizan of great activity and talents, whoſe ſufferings were full and freſh in his memory, and who lay under little reſtraint from any ſentiment of delicacy, or any principle of virtue ‡.

Eccleſiaſtical affairs.

In the importance of theſe events, it is not proper to neglect the church and its affairs.

The clergy deſire permiſſion to baptize the prince.

Upon the birth of the prince the clergy were forward to teſtify their gladneſs to the Queen,

* Keith, p. 357. 361. † Keith, p. 429. ‡ Keith, p. 333. Goodal, vol. i. p. 321.

and

and beſought her permiſſion to baptize him after the reformed method. She paid not, however, any attention to their requeſt; and in return for her refuſing to have her ſon baptized in a communion different from her own, they voided their diſpleaſure in exclamations againſt the counteſs of Argyle who held up the infant to the archbiſhop of St. Andrews. It was in vain to tell them that ſhe acted upon this occaſion in the name and by the appointment of Queen Elizabeth. They could not perceive the propriety of any apology; and waiting for a proper ſeaſon to make her feel their rigour, and not ſatisfied with her acknowledgments for her temerity, they enjoined her to wipe away the guilt of her heinous tranſgreſſion by a public penance in the chapel of Stirling*. Book II. 1566.

But if their pride was wounded by the preference which the Queen diſplayed to the ceremonies of her own religion, ſhe made them an ample recompence by taking into her conſideration their repeated demands for a proper ſupport and maintenance. By an expreſs ordination ſhe commanded, that all parſonages, vicarages, and benefices in the hands of the laity, which extended not beyond three hundred marks of yearly value, ſhould immediately upon their return to the crown, be diſpoſed of according to the direction and pleaſure of the ſuperintendants and the clergy. As the expences of her houſehold, and her proneneſs to prodigality and magnificence had of late made her encroach very much upon the eccleſiaſtical revenues, ſhe, alſo, with the advice of her privy council, offered a remedy to guard them againſt future oppreſſion and hardſhips. She aſſigned to them the ſum of ten Acts to their advantage.

* Knox, p. 434. Coodal, vol. i. p. 321. Spotſwood, p. 214.

Book II. 1566. thouſand pounds, and allotted four hundred chalders of victual to their uſe. This penſion of money and proviſions was received by them with thankfulneſs; but by a ſolemn proteſtation of their aſſembly, they declared that their acceptance of it ſhould not prejudge their right and claim to the full patrimony of the church. By another ordination ſhe made a proviſion for the clergy of cities and towns, by appointing a committee of her counſellors to conſult with the boroughs, and to impoſe upon them for this purpoſe a taxation ſuitable to their wealth. But as a relief to the boroughs in this taxation ſhe aſſigned to them reſpectively the altarages, annuals, and obits which, of old, had been paid to the prieſts; and if there ſhould be any reſidue of this fund after providing the miniſtry, ſhe directed it to be diſtributed to the poor *.

John Knox goes to England, and carries a recommendation from the church of Scotland to the biſhops of England in favour of the Engliſh diſſenters.

About this time John Knox, having the liberty of the Aſſembly to viſit his ſons who were ſtudying at Cambridge, was entruſted with a letter from the Kirk to the Biſhops of England. The proteſtant diſſenters of that kingdom had taken an exception to the habit and veſtments which the epiſcopal government had approved and continued from the ceremonials of the church of Rome. They accordingly refuſed to pay any reſpect to them; and the Engliſh clergy anxious for uniformity debarred many of them from mounting the pulpit, and from the performance of the paſtoral functions. It was to diſſuade the biſhops from this cruelty and perſecution, that the clergy of Scotland took the liberty to addreſs them. It was ſtated as a lamentable grievance, that the diſſenters ſhould be interrupted from preaching the Goſpel, becauſe their opinions

* Keith, p. 561, 562, 563. 570, 571.

would

would not ſuffer them to put on the garments which had riſen into eſtimation in the blind and dark ages of popery. They proteſted, that the preacher of Chriſtian liberty had nothing to do with the ſurplice, the corner cap, and the tippet, which were the badges of prieſts in the very act of idolatry; and that the rebuker of all ſuperſtition and profaneneſs could not rightly be reconciled to the dregs of the Romiſh beaſt. As the diſſenters moleſted not the epiſcopal clergy for employing this unprofitable apparel, they deſired the biſhops to imitate their moderation, and not to perſecute the Godly for ſuch vain trifles. If, in theſe particulars, the command of the civil power was too rigid and peremptory, they exhorted them to oppoſe it; conjuring them as they were the light of the world and the ſalt of the earth, not to burden the conſciences of the faithful, beyond what was enjoined by the Almighty in the book of his word. While they recommended to them lenity and forbearance, they inſinuated the danger they were in of giving offence to heaven by troubling their brethren upon a pretence ſo frivolous as their refuſing to deck themſelves with Romiſh rags; and they cautioned them not to deſpiſe this remonſtrance from their ſiſter church, which though it dazzled not with worldly pomp, was yet ſtrenuous to give battle to the Roman Antichriſt*.

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The clergy, however, while they were highly diſobliged with the ſeverity of the Engliſh biſhops to the diſſenters, were ſtill more ſeriouſly incenſed by a commiſſion which the Queen ventured to beſtow upon the archbiſhop of St. Andrews. Mary after her acceſſion to the confederacy of Bayonne had never dropped the idea

The clergy oppoſe the revival of the juriſdiction of the archbiſhop of St. Andrews.

* Knox, p. 439.

Book II. 1566. of re-eſtabliſhing within her dominions the Roman catholic doctrines and worſhip. It was with a view to this intention, that ſhe thought to give a blow to the powers of the commiſſaries, who after the reformation were entruſted to exerciſe authority in eccleſiaſtical concerns. By a formal inſtrument ſhe reſtored the archbiſhop of St. Andrews to his antient prerogatives in the probate of wills, in the collation to benefices, and in the other branches of ſpiritual juriſdiction. Their apprehenſions were extreme; and they did not heſitate to ſound them abroad, and to call upon the nobility by a fervent ſupplication to attend to the impending danger. They conſidered the revival of the antient privileges of the Archbiſhop of St. Andrews as nothing leſs than the reſtoration of the old religion. For the exerciſe of his juriſdiction affording him a deciſive advantage over the reformed, would enable him to foſter the ſtrength of the Romiſh faction. Among his other powers he would aſſume the cognizance of hereſy, and ſpill anew the blood of the martyrs. Nor were their terrors groundleſs. His exaltation pointed to all the evils that they dreaded moſt; and it was at the ſame time an enormous breach of the conſtitution, and a flagrant violation of repeated proclamations to uphold the proteſtant eſtabliſhment*. But the effects of their alarm, and the ſcheme itſelf of trampling upon the reformation, were ſuppreſſed and forgotten in the noiſe and horror of that tragical ſcene which was ſoon to throw the kingdom into convulſions, and to involve the Queen in inextricable miſery.

The King leaves Stirling. At Stirling the King confined himſelf chiefly to his chamber. The ſtrangeneſs of his behavi-

* Spotſwood, p. 198. Knox, p. 441.

Our

our to the Queen drew to him no favourable notice; and the earl of Murray and his faction irritating the odium entertained againſt him, the foreign ambaſſadors paid him no court. His ſituation was moſt uncomfortable; and his pride made him feel in an exquiſite degree the ridicule and contempt to which he had expoſed himſelf. But though he muſt have been conſcious of his imprudence and folly, and was ſenſible of the anguiſh which the Queen had ſuffered upon his account, he did not alter his conduct, and was inclined rather to embitter her uneaſineſs than to ſoften it. In a ſullen and mortified humour he left Stirling, and took the road to Glaſgow* without communicating his intentions, and without deigning to ſalute her. To divert her melancholy ſhe made excurſions to Drummond Caſtle, and the houſe of Tillibardin which were in the neighbourhood of Stirling. She then returned to that city, and having paſſed a few days in it, proceeded to Edinburgh, where ſhe was informed that the King was dangerouſly ſick at Glaſgow. He was racked with vehement pains; his body was covered with puſtules of a blueiſh colour; and his death was expected. His danger awakened all the gentleneſs of her nature; and ſhe forgot the wrongs ſhe had endured. Time had abated the vivacity of her reſentment; and after its paroxyſm was paſt, ſhe was more diſpoſed to weep over her afflictions, than to indulge herſelf in revenge. The ſoftneſs of grief prepared her for a returning tenderneſs. His diſtreſſes effected it. Her memory ſhut itſelf to his errors and imperfections; and was only open to his better qualities and accompliſhments. He himſelf affected with the near proſpect of death,

The unhappineſs of the Queen.

His ſickneſs and her attentions.

* 27 December.

thought

Book II. 1566. thought with ſorrow of the injuries he had committed againſt her. The news of his repentance was ſent to her*. She recollected the ardour of that affection he had lighted up in her boſom, and the happineſs with which ſhe had ſurrendered herſelf to him in the bloom and ripeneſs of her beauty. Her infant ſon, the pledge of their love, being continually in her ſight inſpirited her ſenſibilities. The plan of lenity which ſhe had previouſly adopted with regard to him, her deſign to excite even the approbation of her enemies by the propriety of her conduct, the advices of Elizabeth by the earl of Bedford to entertain him with reſpect, the apprehenſion leſt the royal dignity might ſuffer any diminution by the univerſal diſtaſte with which he was beheld by her ſubjects, and her certainty and knowledge of the angry paſſions which her chief counſellors had foſtered againſt him, all concurred to diveſt her heart of every ſentiment of bitterneſs, and to melt it down in ſympathy and ſorrow. Yielding to tender and anxious emotions, ſhe left her capital and her palace in the ſevereſt ſeaſon of the year, to wait upon him†. Her aſſiduities and kindneſſes communicated to him the moſt flattering ſolacement; and while ſhe lingered about his perſon, with a fond ſolicitude, and a delicate attention, he felt that the ſickneſs of his mind and the virulence of his diſeaſe were diminiſhed. It was not long before the ſtate of his health permitted him to travel; and ſhe carried him with her to Edinburgh, where her phyſicians could conſult beſt the nature of his caſe; and where ſhe herſelf could attend upon him with the greater

Their reconciliation.

* Anderſon, Collections, vol. i. p. 12. † She was in Stirling upon the 13th day of January, and upon the 24th or the 25th day of the ſame month ſhe went to the King at Glaſgow. Goodal, vol. i. p. 323.

convenience,

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conveniency. The low and damp ſituation of her palace of Holyrood houſe being improper for his condition, he was lodged in a houſe which had been appropriated to the Superior of the church called St. Mary's in the fields. This houſe ſtood upon a high ground, and in a ſalubrious air; and here ſhe ſtaid with him for ſome days continuing her offices of amity and comfort *.

The apprehenſions of the earl of Murray and his faction.

The earls of Murray and Bothwel, and Maitland of Lethington were infinitely diſappointed with the miſcarriage of the conference at Craigmillar. They had preſſed the matter of the divorce with ſo much earneſtneſs, that they had given the alarm to the fears of the Queen. It ſeemed to her that their reſentments againſt the King were too eager, and that they had conſpired to produce his ſeparation from her by ſome improper method. She, accordingly, had commanded them not to think of any attempt that might fix a blemiſh upon her honour, or do a prejudice to her ſon. From their zeal there flowed a conſequence the moſt oppoſite to what they had intended. The dark uncertainty of their machinations excited in her a ſentiment of compaſſion for the object of their hatred, and a terror leſt his danger might involve her own. They ſuffered from the treachery of their paſſions, and perceived with ſurprize, that her heart might yet warm to her huſband with affection and cordiality. His late illneſs which was probably the effect of poiſon †, adminiſtered by them, working ſo ſtrongly

The murder of the King.

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to

* Crawfurd, Memoirs, p. 11. Keith, p. 364.

† It is not known with certainty whether the King had been poiſoned or not. Sir James Melvil affirms, that there prevailed only a ſuſpicion that he had got poiſon. Memoirs, p. 154. The poſitive aſſertions of Buchanan and Knox that this was the caſe are evidently the reſult of the views with

which

Book II. to his favour in the mind of the Queen confirmed this ſuſpicion. In his recovery, and in their reconciliation they had the ſtrongeſt reaſons of apprehenſion. They were conſcious of their offences againſt him, and that there could be nothing which they had more to dread than the reeſtabliſhment of his influence. Her rejection of a divorce at a time when her reſentment was keen, had inſtructed them in the difficulty of alluring her to act to their purpoſes. If ſhe had been bent on a ſeparation from him, as an expedient neceſſary to her happineſs, it was not eaſy to fancy a mode of it that was at the ſame time ſo effectual and ſo inoffenſive. She had alſo oppoſed his removing beyond the ſea; and ſhe had abſtained from bringing him to a trial for his act of treaſon and murder in the affair of David Rizzio. After the conference, therefore, at Craig-

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which they were actuated, and deſerve no credit. Yet from what is obſerved by Melvil, from the circumſtance of the ſubſequent murder of the King, and from the characters of Murray and Bothwel, Morton and Lethington, there is a high probability, that they had corrupted ſome of his domeſtics to take this method of deſtroying him. Some writers are of opinion that the King's malady was the ſmall-pox. See Jebb, vol. ii. p. 59. 214. And biſhop Leſly, relying probably upon the licentiouſneſs of his life, is confident that his ſickneſs was the French pox. Keith, p. 364. But as the ſymptoms of theſe diſtempers are far from being equivocal, and could not well be miſtaken, it ſeems reaſonable to infer, that in either of theſe caſes, the truth muſt have been known pretty generally in thoſe times. If any of theſe ſuppoſitions, accordingly, had been real, Melvil, who had the favour of Mary, and was much in her court, muſt I imagine have been well informed, and muſt have given a decided teſtimony upon the one ſide, or upon the other; and indeed from the general rumour and knowledge which muſt have prevailed of the fact, it ought to have come down with certainty to poſterity. It may therefore I think be inferred, that the diſtemper of the King was different from theſe; and thus the ſuſpicion of his being poiſoned receives a ſtrength and confirmation.

millar

miſſar they could not reaſonably entertain the hope of enticing her to conſent to his deſtruction; and after the illneſs of the King, and his reconciliation with the Queen, it was altogether impoſſible that they could think of making her a partaker in their guilt. They were in a moſt critical ſituation; and it appeared to them that their ſafety was inconſiſtent with his. A quick and deciſive blow could alone operate their ſecurity, and advance their ambition. The moment the moſt proper for its execution was arrived. For they had added to their conſequence the power of the earl of Morton and his aſſociates; and the ſuburb where the King was lodged for the benefit of his health was ſituated in a ſolitude. Upon the tenth day of February, about two o'clock in the morning, the houſe where the King reſided being blown up by gunpowder, with a great force, was inſtantly reduced to rubbiſh. The exploſion alarming the inhabitants, excited their curioſity, and brought them in multitudes to the ſuburb from whence it had proceeded. The event filled them with aſtoniſhment and terror. The dead and naked body of the King, with that of a ſervant who uſed to ſleep in his apartment, was found in an adjoining field, with no marks of fire, and without any appearance whatever of external injury *.

* Crawfurd, Memoirs, p. 12, 13. Spotſwood, p. 200. Keith, Introd. p. viii. Hiſtory, p. 364. "It was ſpoken, "ſays Melvil, that the King was taken forth, and brought "down to a ſtable, where a napkin was ſtopped in his mouth, "and he therewith ſuffocated." Memoirs, p. 155. In the "notes of Queen Elizabeth's reign by the lord treaſurer "Burleigh," there is the following notice. "10 Feb. "Hora ſecunda poſt mediam noctem. Hen. Rex Scotiæ "interfectus fuit per Jac. Co. Bothwel, Jac. Ormeſton de "Ormeſton, Hob. Ormeſton patrem dicti Jac. Ormeſton, "Tho. Hepbourn." Murdin, State Papers, p. 763.

Thus

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1567.

His character.

Thus periſhed, in the twenty firſt year of his age, Henry Stuart, lord Darnley, a prince of a high lineage. A fate ſo ſudden, and ſo immature excited a ſympathy and ſorrow which muſt have been loſt in the conſciouſneſs of his imperfections, if he had fallen by the ravages of diſeaſe, or the ſtroke of time. The ſymmetry of his form recommended him to the moſt beautiful princeſs of Chriſtendom; and her generoſity and love placed him upon the throne of an antient kingdom. But he neither knew how to enjoy his proſperity, nor to enſure it. His vices did not permit him to maintain the place he had won in her affection; and he was not intitled by his ability to hold the reins of government. He was ſeen to the greateſt advantage in thoſe games and ſports which require activity and addreſs. He rode with ſkill the war horſe, and was dexterous in hawking and the chaſe; but poſſeſſing no diſcernment of men, and no profoundneſs of policy, he was altogether unequal to direct an agitated monarchy, and to ſupport the glory of his Queen. Inſtead of acting to her protection and advantage he encouraged her misfortunes and calamities. His imbecillity laid him open to her enemies and his own. The exceſſive facility of his nature made him the dupe of the ſhalloweſt artifice; and while he was weakly credulous, he could not keep in concealment thoſe ſecrets which moſt nearly concerned him. Driven into difficult ſituations by paſſion and imprudence, he was unable to extricate himſelf. Under the guidance of no regular principles, he was inconſtant and capricious. His natural levity was prompted by his proneneſs to intemperance; and he was as much a ſtranger to decorum as to virtue. While he was not qualified for the cares of royalty, he was even unfit for the trappings of

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ſtate and thoſe guarded and faſtidious ceremonials which are ſo neceſſary to impoſe on the quickneſs of human reaſon, and to cover the infirmity and the nakedneſs of high ſtation. His prepoſterous vanity and aſpiring pride rouſed the reſentment and the ſcorn of the nobles. His follies and want of dignity made him little with the people. To the Queen, his infidelity and frequent amours were moſt inſulting and ungrateful. The admiration of the ſex which in cultivated and ſuperior men is an elegant paſſion and an amiable weakneſs, was in him a groſs attachment and an unſentimental propenſity growing out of the ſtrength of his conſtitution, and the cravings of an animal appetite. But while our graver hiſtorians *, are aſſiduous to reproach him with wantonneſs in the chamber of Venus, it ought to be remembered, that the murder of Rizzio, and his attempt to diſpoſſeſs the Queen of her government are far more indelible ſtains upon his memory, and imply a profligacy and guilt which could only be exceeded by the enormity of that wickedneſs which ſchemed and executed his deſtruction. It is with pain that Hiſtory relates ſuch cruel events; but while ſhe melts with human woe, it is her province to be rigorouſly juſt. Her weeping eye is the indication of an inſtructive ſorrow; and while her burſting heart mourns over the crimes, the calamities, and the wretchedneſs of ages that are paſt, ſhe records them with fidelity as a leſſon to ſucceeding times.

* Knox, p. 441. Keith, p. 365.

THE

HISTORY

OF

SCOTLAND.

BOOK III.

Book III.

1567.

The amazement of the Queen upon the murder of her husband.

A Few hours before the tragedy of the King's murder, the Queen, attended by many of the nobility, had left him to take the diverſion of a maſked ball at Holyrood houſe. In the midſt of her gaiety the intelligence of the fatal enterprize was brought to her. Aſtoniſhment and grief, fear and rage contended in her boſom. A confuſed horror and gloomy ſuſpicions reigned within the palace. She addreſſed herſelf to her nobles, under the moſt painful agitation; exclaiming to them that ſhe would rather loſe her kingdom and her life than forfeit her revenge; urging them with the warmeſt entreaties to employ every art and method to diſcover the perpetrators of this unequalled cruelty; and vowing that her juſtice and their puniſhment ſhould be an inſtruction to every future age *. In a ſeaſon, when hope had begun

* Record, ap. Keith, Introd. p. viii.

to

to flatter her with proſpects of happineſs, and when ſhe had formed the faireſt reſolutions, and was revolving in her thoughts the moſt honourable purpoſes, ſhe was plunged into the depths of diſtreſs, and compelled to reſign herſelf to emotions, in which every thing was dark, uncertain, and terrible.

His funeral. The Queen mourns his death in the Caſtle of Edinburgh.

The body of the King, ſoon after his murder was embalmed, and preparations were made for his funeral. As the Queen's council were chiefly of the proteſtant perſuaſion, the Romiſh ceremonies were not employed. His interment, however, though without ſplendour, was becoming and honourable; and his remains were depoſited in the chapel of Holyrood houſe, near the bodies of James V. Magdalen the firſt Queen of that monarch, and his two infant ſons James and Arthur *. Before the laſt offices were performed to her huſband, Mary, from a principle of delicacy, as well as to comply with an eſtabliſhed cuſtom, leaving her palace, went to the Caſtle of Edinburgh to indulge in grief. She ſhut herſelf up in her apartment: It was hung with black; the light of the ſun was excluded from it; and a taper burning faintly added to its gloom. Here melting with lonely anguiſh ſhe was penetrated with all the ſentiments that became her condition, and mourned his fate and her own misfortunes. The inſtability of human grandeur affected her; and while ſhe meditated its painful enjoyments and its oppreſſive miſeries, ſhe looked for comfort beyond the preſent ſcene, and regarded the royal crown and the ſceptre, as the play things of a giddy pride, and a childiſh ambition †.

* Anderſon, Collections, vol. i. p. 23. † Keith, p. 368, 369. Anderſon, Collections, vol. i. p. 24.

Book III. 1567.

The power of the conſpirators.

Though Murray and Bothwel, Morton and Lethington, inſtigated by the kindneſs ſhewn by Mary to the King, had carried into execution their enterprize againſt him at a juncture ſo early after his arrival at his capital; they were yet, from their previous machinations to his prejudice, fully prepared to encounter and ſurmount every conſequence and danger that might threaten them. In themſelves they had great authority. They had been courting the nobles and arming themſelves with influence. The earl of Huntley the lord high chancellor was the particular friend of Bothwel who had married his ſiſter. The earl of Argyle the chief juſticier was in a ſtrict intimacy with Murray. Bothwel himſelf was miniſter of ſtate. They could command the privy council, and put in motion all the departments of government. The Queen could perceive no explicit reaſon to ſuſpend her confidence of them, was not prone to ſuſpicion, and was immerſed in chagrin and ſadneſs. The earl of Lennox the King's father, who had ſo many motives to provoke his reſentment and activity, had little penetration and capacity; had no political weight; and his unprincipled acceſſion to the conſpiracy of his ſon to depoſe the Queen, joined to his habitual imprudence, had impreſſed her againſt him with diſguſt and animoſity.

The different views of Bothwel and Murray.

But while the power of the conſpirators was to be employed in all its extent to their mutual protection, the ultimate views of Bothwel and Murray, the leading actors, were altogether different and oppoſite. Bothwel, now that the King was removed, conceived that his principal buſineſs was atchieved; and that he muſt ſoon make a conqueſt of the Queen, and aſcend the higheſt pinnacle of grandeur. Murray, who was not leſs ambitious, was more intriguing and profound;

found; and while in conjunction with his aſſociates, Morton and Lethington, he gave his public influence to Bothwel, he was acting ſecretly to his own advantage, and advancing ſecurely to the ruin of this ſtateſman, and to the utter humiliation of the Queen. Book III. 1567.

The orders of Mary to inquire after the conſpirators were moſt expreſs and peremptory. From the circumſtance that the murder was committed a few hours only after ſhe had left the King, ſhe was induced to believe, that the enterprize had been intended againſt herſelf as well as him. A letter ſhe received from archbiſhop Beaton her ambaſſador at Paris, containing confuſed intimations of plots againſt her perſon, and entreating her to be upon her guard, confirmed her in this opinion *. But as Bothwel Attempts are made to diſcover the conſpirators.

* The Queen's anſwer to the letter of this prelate which is ſtill extant is very natural; and as it illuſtrates the ſtate of her mind at this time, it may be agreeable to my readers to peruſe it.

Letter of Queen Mary to the Archbiſhop of Glaſgow her Ambaſſador.

" Maiſt Reverend Fader in God, and traiſt Counſelor, " we greit ze weill: We have recevit this Morning zour " Letteris of the 27. *Januar* by zour Servand *Robert Drury*, " containing in ane part ſic Advertiſement as we find by " effect over true, albeit the Succes has not altogether been " ſic as the Authoris of that miſchievous Fact had precon- " cevit in thair Mind, and had put it in Executioun, gif " God in his Mercy had not preſervit us, and reſervit us, " as we traiſt to the end that we may tak a rigorous Ven- " geance of that miſchievous Deid, quhilk or it ſould re- " main unpuniſchit, we had rather loſs Life and all. The " Mater is horrible and ſa ſtrange, as we believe the like " was never hard of in ony Country. This Night paſt " being the 9th *February*, a little after twa Houris after " Midnight, the Houſe quhairin the King was logit was in " ane inſtant blawin in the Air, he lyand ſleipand in his Bed, " with ſic a Vehemencie, that of the haill Loging, Wallis

Book III. 1567. wel had taken to himſelf the charge of the active part in the murder, it is reaſonable to conclude, that nothing could be farther from his thoughts than to involve her in the fate of her huſband. This apprehenſion, however, did not fail to add to her paſſions and reſentment. Accordingly, a very ſtrong proclamation was iſſued by the privy council. It aſſured the people, that the Queen and the nobility would leave nothing undone to diſcover the murderers of the King. It offered the ſum of two thouſand pounds and an annuity for life to any perſon, who ſhould give information of the deviſers, counſellers, and committers of the murder; and it held out this reward, and the grant of a full pardon to the conſpirator who

" and other, there is nathing remanit, nă, not a Stane above " another, bot all other [*either*] carreit far away, or dung " in Droſs to the very Grund-ſtane. It mon be done be " Force of Powder, and apperis to have been a Myne. Be " quhom it has been done, or in quhat maner, it apperis " not as zit. We doubt not bot according to the Diligence " oure Counſal hes began alreddie to uſe, the Certainty of " all ſalbe uſit ſchortly; and the ſame being diſcoverit, " quhilk we watt God will never ſuffer to ly hid, we hope " to puniſch the ſame with ſic Rigor as ſall ſerve for Exem- " ple of this Crueltie to all Ages to cum. Allwayes quha " ever have taken this wicked Interprys in hand, we aſſure " our ſelf it was dreſſit aſweill for us as for the King; for " we lay the maiſt part of all the laſt Oulk in that ſame " Loging, and wes thair accompanyit with the maiſt part of " the Lordis that are in this Town that ſame Night at Mid- " night, and of very Chance tarryit not all Night, by rea- " ſon of ſum Maſk in the *Abbaye*; bot we believe it wes " not Chance, bot God that put it in our Hede. We de- " peſchit this Berair upon the ſudden, and thairfor wraitis " to zow the mair ſchortlie. The reſt of zour Letter we " ſall anſwer at mair Laiſor within four or five Dayis by " zour aine [*own*] Servand. And ſua for the preſent com- " mittis zow to Allmightie God. At *Edinburgh* the 11 Day " *Februar* 1566.7.

MARIE R †.

† Mem. Scot. Col. Par. ap. Keith, Introd. p. viii.

ſhould

ſhould make a free confeſſion of his own guilt and that of his confederates*. As the houſe where the King reſided had been blown up in conſequence of a mine, and by concealing powder under the ground, it was abſolutely neceſſary, that Bothwel ſhould have been aſſiſted by accomplices. It was therefore impoſſible, but that the truth or a part of it ſhould tranſpire and be made public. The anger of the people was great, and their cry for vengeance was loud. The proclamation attracted notice. Upon the fourth day after its publication, a placard was affixed to the gate of the city priſon, affirming that the earl of Bothwel, James Balfour, David Chalmers, and black John Spence were the regicides. No name, however, was ſubſcribed to this information, and no demand was made for the proffered reward; and when theſe circumſtances, and the open peculiarity of the intelligence were conſidered, it was difficult to conclude whether it proceeded from the ſpirit of calumny, or the love of juſtice †. Book III. 1567.

In this difficult period, the earl of Murray conducted himſelf with his uſual circumſpection and artifice. Upon a pretence that his wife was dangerouſly ſick at his caſtle in Fife, he the day before the murder obtained the Queen's permiſſion to pay a viſit to her. By this means he propoſed to prevent all ſuſpicion whatever of his guilt ‡. He was ſo full, however, of the intended The caution and practices of the earl of Murray.

* Anderſon, Collections, vol. i. p. 36. † Keith, p. 368.

‡ At the conference of Craigmillar, Lethington obſerved, that though the earl of Murray was very pious, he could yet regard with compoſure the commiſſion of any miſchievous act againſt the King. His words are remarkable, and ſhow that he underſtood well the character of his friend. "I am "aſſurit he will luik throw his fingeris thairto, and will

Book III. 1567. tended project, that while he was proceeding on his journey, he observed to the person who accompanied him, "This night before morning, "the lord Darnley shall lose his life *." When the blow was struck, he returned to Edinburgh to carry on his practices. Among foreign nations the domestic disputes of the Queen and her husband being fully known, it was with the

"behald our doings saying nathing to the samen." Goodal, vol. ii. p. 320. His speech was not more prophetic of the murder of the King, than explanatory of Murray's indifference at this time, and of the sickness of his countess.

* "It is unknowen, thinke ye the earle Murray what the "lord Herries said to your face openly, even at your owen "table, a few days after the murther was committed? Did "not he, *nulla circuitione usus*, flatly and plainely burden "you, that you riding in Fiffe, and coming with one of "your moste assured trusty servants, the said day wherein "you departed from Edenborough, said to him, among "other talke, *this night ere morning the lord Darnley shall "lose his life?*" Lesly's Defence of Queen Mary's Honour, ap. Anderson, Collect. vol. i. p. 75.

As this address was made to Murray in the directest manner, it is probable that he would have vindicated himself, if that had been consistent with his power. On the supposition of his innocence, and that Lesly has related only a report concerning the lord Herries, the detection was easy and obvious. To refute him it was only necessary that the lord Herries should have disavowed the speech imputed to him. No disavowal, however, was made by the lord Herries; and no direct or formal denial of the fact ever proceeded from the earl of Murray. The conclusion therefore against him has a great deal of force. Bishop Lesly it is acknowledged was a friend to Mary, but he is allowed to have been a person of candour and probity; and his paper containing this singular passage, was circulated in Scotland, England, and France. The behaviour too of the lord Herries before the English commissioners, his accusation against Murray of the murder, the challenge he gave him as being principally concerned in it, the anxiety and arts of Elizabeth to defeat any enquiry into the criminality of this nobleman, the protestation of his guilt by Argyle and Huntley, and the general strain of his conduct, are all evidences which illustrate the reality of the charge advanced by the bishop.

greater

greater eaſe that reports could be propagated to her diſadvantage. To France letters were diſpatched, expreſſing in fervent terms her participation in the murder. In England the miniſters and courtiers of Elizabeth could not flatter that princeſs more agreeably, than by induſtriouſly detracting from the honour and the virtue of the Scottiſh Queen. Within her own dominions a ſimilar ſpirit of outrage exerted itſelf, and not without ſucceſs. As her reconciliation with her huſband could not be unknown to her own ſubjects, it was interpreted to be diſſimulation and treachery. The proteſtant clergy, who were her moſt determined enemies, poſſeſſed a leading direction among the populace; and they were the friends and the partizans of the earl of Murray. Open declamations from the pulpit were made, againſt Bothwel, and ſtrong inſinuations and biting ſurmiſes were thrown out againſt the Queen. Papers were diſperſed making her a party with Bothwel in the murder. Every art was employed to provoke the frenzy of the people. Voices interrupting the ſilence of the night proclaimed the infamy of Bothwel; and portraits of the regicides were circulated over the kingdom *.

Book III. 1567.

It was not unknown to the Queen that her enemies were buſy with a malicious aſſiduity to defame her; and from the conſciouſneſs of her own innocence, and from the calumny, that ſhe had been a party with Bothwel, ſhe was the leſs diſpoſed to ſuſpect this nobleman. Amidſt the ſuſpicions entertained at this period, reports alſo prevailed to the prejudice of Murray, Morton, and Lethington; and they paſſed with credit into England †. The dark uncertainty of the fact,

Suſpicions are entertained of Murray and his aſſociates

Correſpondence between the Queen and the earl of Lennox.

* Spotſwood, p. 206. Keith, Introd. p. ix. † Keith, p. 365. Spotſwood, p. 200.

Book III. and contradictory rumours held her in ſuſpence.
1567. Her determination, however, to ſcrutinize into the matter was unabated; and to the earl of Lennox, the King's father, ſhe paid an attention which he could only have expected from her upon an emergency of this kind. Having preſſed her by letter to the moſt diligent enquiry after the regicides, ſhe returned an anſwer ſo completely to his wiſhes, that he was fully convinced of the ſincerity and rigour with which ſhe intended to proceed againſt them; and he urged her to aſſemble the three Eſtates, that their advice might direct the order and manner of their trial *. She wrote to him that an aſſembly of the Eſtates was already proclaimed; and that it was her earneſt and determined will and purpoſe, that no ſtep ſhould be neglected that could conduce to the advancement and execution of juſtice †. Yielding to his anxieties, he addreſſed her anew, entreating that the trial might not be delayed; obſerving that it was not a matter of parliamentary enquiry, adviſing that it would be more proper to proceed to it with the greateſt expedition, and urging her to commit to priſon all the perſons who had been named and deſcribed in the papers and placards which had been ſet up in the public places of the city ‡. The Queen informed him, that although ſhe had thought it expedient to call a meeting of the parliament at this juncture, it was not her meaning that the proceedings againſt the regicides ſhould be delayed till it was actually aſſembled. As to the placards and papers to which he alluded, they were ſo numerous and contradictory, that ſhe could not well determine upon which to act. But if he would condeſcend to mention the names which in his opinion were

* Anderſon, Collections, vol. i. p. 40, 41. † Id. p. 42. ‡ Id. vol. i. p. 43, 44.

moſt

moſt ſuſpicious, ſhe would inſtantly command that thoſe ſteps ſhould be taken which the laws directed and authorized *. He in return named the earl of Bothwel, James Balfour, David Chalmers, black John Spence, Francis Sebaſtian, John de Bourdeaux, and Joſeph, the brother of David Rizzio, and aſſured her majeſty that his ſuſpicions of theſe perſons were weighty and ſtrong †. In reply to his information, Mary gave him her ſolemn promiſe that the perſons he had pointed out ſhould abide and undergo their trial in conformity to the laws, and that they ſhould be puniſhed according to the meaſure of their guilt; and ſhe invited him to leave immediately his retirement, and to meet her at her court, that he might witneſs the proceedings againſt them, and the zeal with which ſhe was animated to perform the part that became her ‡. Book III. 1567. 24th March.

Conſultations for the puniſhment of the regicides.

While the Queen carried on this correſpondence with the earl of Lennox, ſhe reſided partly at the palace of the lord Seaton, at the diſtance of a few miles from her capital, and partly at Holyrood houſe. Her grief and ſolitude in the caſtle of Edinburgh, and the inclement air of that place had affected her health; and ſhe had left it in conſequence of the advice of her phyſicians, and upon the preſſing ſolicitations of her privy council ‖. By the time that ſhe ſent her invitation to the earl of Lennox ſhe was reſiding in her capital. She delayed not to confer with her counſellors, and to lay before them the letters of the earl of Lennox. Bothwel was earneſt in his proteſtations of innocence; and he even expreſſed his wiſh for a trial, that he might eſtabliſh his

* Anderſon, Collections, vol. i. p. 45, 46. † Id. p. 48. ‡ Id. p. 49. ‖ Keith, p. 369. Anderſon, Collections, vol. i. p. 24, 25.

integrity,

Book III. 1567.

integrity*. No facts pointed to his guilt; there had appeared no accuſer but the earl of Lennox; and no witneſſes had been found who could eſtabliſh his criminality. Her privy council ſeemed to her to be firmly perſuaded that he was ſuffering under the malice of defamation. Murray, Morton, and Lethington, whatever might be their private machinations, were publickly his moſt ſtrenuous defenders; and they explained the behaviour of the earl of Lennox to be the effect of hatred and jealouſy againſt a nobleman, who had outrun him ſo far in the career of ambition. It conſiſted with the knowledge of the Queen that Lennox was jealous, vindictive, and impetuous; and it was not impoſſible but that the placards and papers which had drawn ſo much notice, were the work of his emiſſaries. A ſettled conviction having taken poſſeſſion of her mind, that the plot againſt the King was alſo deſigned againſt herſelf, ſhe could not poſſibly reconcile an intention ſo criminal to her, with the uniform fidelity, and the reſpectful obeiſance of the earl of Bothwel. The publickneſs of the ſcandal againſt him being accompanied with more than inſinuations to her own prejudice, it made the leſs impreſſion upon her; and inſtead of confirming the notion of his guilt, it had the effect to fortify and unite all the other circumſtances which pointed to his integrity and innocence.

A day is appointed for the trial of Bothwel.

But though all the arts of Murray and Bothwel, Morton and Lethington were exerted to their utmoſt extent to miſlead the Queen, they were not able to withhold her from adopting the ſtrain of conduct which was the moſt proper and the moſt honourable to her. It was her ar-

* Spotſwood, p. 201. Anderſon, vol. ii. p. 98, 99.

dent

dent deſire that the regicides ſhould be puniſhed; ſhe had given her ſolemn promiſe to the earl of Lennox that the perſons whom he ſuſpected ſhould be proſecuted; and amidſt all the appearances in the favour of Bothwel, and all the influence employed to ſerve him, it is to be regarded as a ſtriking proof of her honour, vigour, and ability, that ſhe could accompliſh this meaſure. An order, accordingly, of the privy council was made, which directed that the earl of Bothwel and all the perſons named by Lennox ſhould be put to the knowledge of an aſſize for the murder of the King, and that the laws of the land ſhould be carried into full execution. The day of the trial was appointed. A general invitation was given to all perſons whatſoever to prefer their accuſations. The earl of Lennox was formally cited to do himſelf juſtice by appearing in the high court of juſticiary, and by coming forward to make known the guilt of the culprits *.

Book III. 1567. 28th March.

In the mean time it was proper to repreſs that ſpirit of outrage that had manifeſted itſelf againſt the Queen. No diſcoveries, however, were made, except againſt James Murray, brother to Sir William Murray of Tullibardin, who at different times had publiſhed placards injurious to her. He was charged to appear before the privy council; but refuſing to obey its citation, it was made a capital offence for any commander of a veſſel to convey him out of the kingdom; and the reſolution was taken to puniſh him with an exemplary ſeverity. Effecting, however, his eſcape, he avoided the puniſhment due to his repeated and deteſtable acts of calumny and treaſon †.

A check is given to the calumnies againſt the Queen.

* Anderſon, Collections, vol. i. p. 50, 51. † Keith, p. 376. Anderſon, Collections, vol. i. p. 38.

The

BOOK III. 1567.

The earl of Lennox is afraid to inſiſt on the trial.

The day for the trial of Bothwel approached. The conſpirators, notwithſtanding their power, were not without apprehenſions. Their preparations, however, for their ſafety had been anxious; and among other practices they neglected not to attempt to throw a panic into the earl of Lennox. They were favoured by his conſciouſneſs of his impopularity, and his want of ſtrength, by his timidities, and his ſpirit of jealouſy. Suſpicions of the Queen's guilt were inſinuated into him; and the dangers to which he might be expoſed by inſiſting on the trial, were ſet before him in the ſtrongeſt colours. He was ſenſible of her averſion to him; and his weakneſs and the ſovereign authority were contraſted. His friends concurred with his enemies to intimidate him, from the ſpirit of flattery, or from a real belief that his ſituation was critical. By the time he had reached Stirling, in his way to Edinburgh, his fears predominated. He made a full ſtop. He was no longer in haſte to proceed againſt the regicides. He addreſſed a letter to the Queen, in which he ſaid he had fallen into ſuch ſickneſs, that he could not travel; and he affirmed that he had not time to prepare for the trial, and to aſſemble his friends. He complained too that Bothwel and his accomplices had not been committed to cuſtody; he inſiſted that this ſtep ſhould be taken; and he requeſted that a day at a greater diſtance might be appointed for the trial. After the lengths to which matters had gone, this conduct was moſt improper; and it is only to be accounted for from terror or capriciouſneſs. His indiſpoſition was affected; he had been invited by Mary to wait upon her at Edinburgh, at an early period, to concert his meaſures; and the delay he aſked was in a ſtrong contradiction to his former entreaties. After the invitation ſent to him, he might

might have relied with ſafety upon the protection of the Queen, without any gathering of his friends; from the time of her private intimation to him, and of the legal citations of her officers, there had paſſed a period more than ſufficient for the purpoſe of calling them together; and indeed to ſuppoſe that there was any neceſſity for their aſſiſtance was an inſult to government, and a matter of high indecency. There was more juſtice in the complaint that the earl of Bothwel and his accomplices had not been taken into cuſtody; and yet even in this peculiarity he was himſelf to blame in a great degree. For he had not obſerved the precaution of that previous diſplay of evidence, known in the Scottiſh law under the term of a precognition, which is common in all the groſſer offences, and which the weighty circumſtances of the preſent caſe rendered ſo neceſſary as a foundation for the confinement and conviction of the criminals *.

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The trial of Bothwel. 12th April.

An application for the delay of a trial ſo important, upon the night immediately preceding the day † ſtated for it, and reciting reaſons of no concluſive force, could not with propriety be attended to. The privy council refuſed the de-

* Anderſon, Collections, vol. i. p. 52, 53. It appears that Lennox, ſome time after the order for the trial of Bothwel, had written to Elizabeth to complain of the ſhortneſs of the time allowed him to prepare his accuſations; and there has been publiſhed a letter from Elizabeth to Mary, requeſting her not to proceed too expeditiouſly to the trial. Robertſon's Appendix, p. 301. But from the date of this letter it is obvious that it could not be received till after the trial was over. Goodal, vol. i. p. 352. The connexion of Lennox at this time with Elizabeth, who had been ſo great an enemy to him, is a remarkable circumſtance; and is to be accounted for from the artifices of Murray and his cabal.

† The letter from the earl of Lennox to the Queen is dated from Sterling, upon the eleventh day of April.

mand

Book III. 1567. mand of the earl of Lennox. The Court of Juſticiary was aſſembled. The earl of Argyle acted in his character of Lord High Juſticier; and was aided by four aſſeſſors, Robert Pitcairn, commendator of Dunfermline, and the lord Lindſay, with Mr. James Macgill, and Mr. Henry Balnaves, two lords of the ſeſſion. The indictment was read, and the earls of Bothwel and Lennox were called upon; the one as the defender, the other as the accuſer. Bothwel, who had come to the court with an attendance of his vaſſals, and a band of mercenary ſoldiers *, did not fail to preſent himſelf; but Lennox appeared only by his ſervant Robert Cunnyngham; who, after apologizing for his abſence, from the ſhortneſs of the time, and the want of the preſence of his friends, deſired that a new day ſhould be apointed for the trial; and proteſted, that if the jury ſhould now enter upon the buſineſs, they ſhould incur the guilt of a wilful error, and their verdict be of no force or authority.

His acquittal. This remonſtrance and proteſtation appeared not to the court of ſufficient importance to interrupt the trial. They paid a greater reſpect to the letters of the earl of Lennox to the Queen, inſiſting upon an immediate proſecution, and upon the order of the privy council conſequent upon them. The jury, who conſiſted of men of rank and condition †, after conſidering and rea-

* Anderſon, Collections, vol. i. 134, 135.

† The aſſize were, "Andro erle of Rothes, George erle "of Caithnes, Gilbert erle of Caſſilis, lorde Johne Hamil-"toun commendater of Arbroith, ſone to the lorde duke, "James lord Ros, Robert lord Simple, Johne Maxwell "lord Hereis, Laurence lord Oliphant, Johne, maiſter of "Forbes, Johne Gordoun of Lochinwar, Robert lord "Boyde, James Cockburne of Lantoun, John Somerwell "of Cambuſnethan, Mowbray of Barnebowgall, Ogilbye "of Boyne." Keith, p. 377.

ſoning

ſoning upon the indictment for a conſiderable time, were unanimous in acquitting Bothwel of all ſhare and knowledge of the King's murder. The earl of Cathneſs, however, the chancellor of the aſſize, made a declaration in their name and his own, that no wilful error ought to be imputed to them for their verdict; no proof, voucher, or evidence, to confirm or ſupport the criminal charge having been ſubmitted to them. At the ſame time he offered a proteſtation for himſelf, that there was a miſtake in the indictment; the ninth day of February inſtead of the tenth, being expreſſed in it as the date of the murder*. It is not to be doubted, but that this flaw in the indictment was a matter of deſign, and with a view to the advantage of Bothwel, if the earl of Lennox had made his appearance againſt him. And it has been remarked as moſt indecent and ſuſpicious, that ſoldiers in arms ſhould have accompanied him to the court of juſtice; that during the trial the earl of Morton ſtood by his ſide to give him countenance, and to aſſiſt him; and that the four aſſeſſors to the chief juſticier were warm and ſtrenuous friends to the earl of Murray †.

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There was here a moſt ſolemn and deliberate mockery of law and juſtice. But while the aſſize gave a verdict in the favour of Bothwel, they diſcovered a not unlively ſuſpicion of his guilt. The Queen, by commanding the trial, diſplayed that ſpirit of reſentment and fortitude, which was ſuited to her feelings and her ſtation. To her miniſters, privy council, and judges, to whom the details and the precautions of government neceſſarily belonged, its management was com-

* State Papers, vol. B. p. 167, 168. Anderſon, Collections, vol. ii. p. 103. 114. † Keith, p. 375, 376.

mitted.

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mitted. To them therefore all the errors and improprieties exhibited in the trial are to be imputed; and it can hardly escape the most superficial remark, that if Bothwel had not been supported by them his fate was inevitable. The judgment to his advantage is a verdict of the guilt of his associates; and when the influence and address of Murray, Morton, and Lethington are considered in conjunction with the timidities and weakness of the earl of Lennox, there can be little difficulty in accounting for all the parts and circumstances of this very remarkable and most ignominious transaction.

Bothwel offers to maintain his innocence by single combat.

Immediately after his acquittal, the earl of Bothwel, vain of his good fortune, disposed to make a show of his prowess, or influenced by the maxims of chivalry, set up in a conspicuous place a writing subscribed by him, challenging to single combat any person of equal rank with himself, who should dare to affirm that he was guilty of the King's murder. To this challenge an answer was published, in which the defiance was accepted, upon the condition that security should be given for a fair and equal conflict. But no name being subscribed to this paper, it was not understood to correspond with the law of arms. No step, therefore was taken to the celebration of this duel; and Bothwel had the honour of atchieving a feat, which has been likened not improperly to the bravado of a champion at a coronation *.

Meeting of the parliament.

Its acts.

The power manifested in his vindication by his friends, was not less formidable in the parliament itself, which met two days after the trial; and as his acquittal corresponded with the opinion entertained of his innocence by the Queen, the

* Anderson, vol. ii. p. 157, 158. Carte, vol. iii. p. 453.

imputations

imputations under which ſhe ſuppoſed him to ſuffer, had the effect to engage her to enter the more readily into his views and thoſe of her nobles. The verdict in his favour was allowed to be true and juſt. He was continued in his high offices, and obtained a parliamentary ratification of the place of keeper of Dunbar caſtle, with the eſtates in connexion with it*. The forfeitures againſt the earls of Huntley and Sutherland were reduced. The earls of Murray and Marre were confirmed in their poſſeſſions and honours; and a ratification of grants was made to the earls of Morton, Angus, and Cathneſs. Acts of favour and bounty to other perſons were paſſed; and from the channel in which the generoſity of the Queen was made to flow, it may be inferred that Bothwel and his cabal had been meditating new projects of enterprize and ambition†. Book III. 1567.

This parliament too, by a ſingular and oppreſſive ordination, endeavoured to repreſs the ſpirit of licentious freedom, which, of late, had raged to ſo great a degree. It was commanded that every perſon who ſhould firſt find or obſerve a placard or bill of defamation, ſhould immediately deſtroy it; and that, if through his neglect or connivance it ſhould ſpread, and copies of it be multiplied, he ſhould be eſteemed as equally culpable with its author or inventor. If this offence ſhould be committed againſt the Queen, it was to be puniſhed with death; and when it took place againſt the nobles and inferior perſons, it was to be compenſated by impriſonment during her pleaſure, or by any leſſer penalty which her diſcretion ſhould appoint‡.

* Anderſon, Collections, vol. i. p. 117. † Ib. p. 122. Keith, p. 379. ‡ Anderſon, Collections, vol. i. p. 126.

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1567.

Affairs of the church.

In this parliament the eccleſiaſtics forgot not the intereſts of the church, and inſiſted as uſual with the Queen, that ſhe would put the laſt hand to the abolition of the maſs. Their remonſtrances, however, were diſregarded *; and though an act was paſſed giving a toleration to the reformed doctrines and treating them with reſpect, ſhe carefully avoided to beſtow upon them her ſanction as the national or eſtabliſhed religion. Her indulgence to popery was continued; and the clergy in diſpleaſure and chagrin looked to a future period for the conſummation of their wiſhes †.

Newſchemes of Bothwel and the cabal.

Although the guilt of Bothwel had not yet unfolded itſelf, his eſcape from juſtice and his parliamentary influence appear notwithſtanding to have been atchievements far beyond his power. But though he was blaſted with ſuſpicions, odious from the licentiouſneſs of his life, and infinitely impopular from the exerciſe of miniſterial authority, his friends determined to perform an exploit to his advantage ſtill more remarkable, and ſtill more diſgraceful to them. Nor does it appear that he ſuſpected the ſincerity of their friendſhip. They had already profited by his kindneſs; and their expectations, he conceived, were directed to more extenſive fruits of his gratitude and beneficence. He was dreaming on the brink of a precipice. For the fulneſs of his demerits and their exact knowledge of them, while they acted as a ſpur impelling their fears, and goading on their activity, were yet a ſource that could engender turmoils and calamities, by the operation of which they could not only compaſs his fall without the riſk of a diſappointment, but what

* Buchanan, Hiſt. Rer. Scot. lib. xviii. Spotſwood, p. 202. † Statutes, James VI. c. 31. Lord Hailes, Remarks on the Hiſtory of Scotland, p. 155. 166.

Was

was more intereſting to them, plunge the Queen herſelf in inextricable miſery and ruin.

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The earl of Bothwel truſting to his figure, accompliſhments, and ſervices, had conceived the hope of making an impreſſion upon the heart of the Queen. This ſcheme, which may be traced back to the conference at Craigmillar, required all his dexterity and addreſs. It was not an affair of common gallantry. Nor did the iſſue of that conference prove favourable to it. For the Queen had been filled with a dread, that her counſellors might engage in ſome improper attempt againſt the King. The baptiſm of the prince, the ſickneſs of the King, her reconciliation with him, and his murder were events which ſoon followed; and which, with the other buſineſs of the ſtate, kept her in agitation and inquietude. He had accordingly few opportunities of acting with a view to his purpoſes, and of putting in practice thoſe arts of which he was a maſter. She had no ſuſpicion of his deſign; and the punctilious ceremony of his carriage, and the vivacity of his attentions appeared to be nothing more than the demonſtrations of a proper reſpect and a becoming attachment. He had excited in her mind a ſenſe of gratitude by the activity and zeal with which he had promoted her intereſts. Habitude and intercourſe, a belief of his fidelity, and an opinion of his talents had induced her to allow him a diſtinguiſhed place in her eſteem. The admiration he diſcovered of her perſon was yet too artful and diſtant to give her an alarm*. He had hitherto been only employing the ſeductions of ſoftneſs and flattery, and was ſtirring up in her boſom that playſome and dangerous pleaſure with which

The marriage of Bothwel with the Queen is propoſed to the nobility.

* Anderſon, Collections, vol. i. p. 89. 92, 93.

Book III. 1567. women, even of the moſt unconquerable chaſtity, delight to enjoy and to ſurvey the dominion of their charms. But now that ſhe was free from engagements, he might indulge in brighter hopes, and throw by degrees a greater tenderneſs into his demeanour. The memory indeed of the King and of his fate was ſo recent, that he could not preſs eagerly his ſuit without rudeneſs, indecency, and danger. Yet if this difficulty could be counteracted it was his intereſt to perſiſt, and to make a trial of her ſentiments. His power was great; that of Murray and his cabal who were friendly to him was greater; and if the preſent opportunity ſhould be loſt it might never again recur. A recommendation of him by the nobility to be her huſband would communicate to him an advantage the moſt formidable, and give him a title to encounter every obſtacle. He ſought this advantage; and in an unprincipled age, he obtained it. All the motives were exerted which can act upon men*; and when he had gained the nobles individually to his project, he invited them to an entertainment where they agreed in a body to ratify a deed pointing him out to their ſovereign as worthy of the honour of her hand, and expreſſing their reſolute determination to ſupport his pretenſions. The day after the entertainment, this extraordinary deed was ſubſcribed and executed by them †.

In

* Anderſon, Collections, vol. i. p. 89. 98.

† It is ſuppoſed that this deed was ſubſcribed upon the 19th day of April, when the entertainment was given; and armed men, it is ſaid, ſurrounded the tavern, where the nobles were aſſembled. Theſe aſſertions are not well ſupported. In the Scots college at Paris there is a copy of the bond, which is dated on the 20th day of April, and which is atteſted as authentic by Sir James Balfour, who was clerk of the privy council at this period, and had the original obligation in his

In this bond or obligation the nobles taking advantage of the favourable prepoſſeſſions of the Queen, inculcated in the ſtrongeſt language their opinion of the integrity of Bothwel, and of the reſpect which he merited from the antiquity of his houſe, and his honourable ſervices to the ſtate. They mentioned his trial and his offer to fight any accuſer as compleat vindications of his innocence of the King's murder; and they affected to be impreſſed with ſo full a ſenſe of his honour, that they engaged themſelves to protect him with all their power, againſt every reproach, calumny, or imputation, which the malignity of his adverſaries, or the giddy clamour of the people might yet invent and propagate to his prejudice. While they were thus profuſe to him of their friendſhip they took the liberty to obſerve that the Queen was now deſtitute of a huſband, that her condition was ſolitary, that the burden of public affairs was hard and heavy, and that if ſhe could ſtoop to prefer a native ſubject to a foreign prince, they would recommend him as a choice moſt fit and proper. They expreſſed the greateſt anxiety that he ſhould attain this pre-eminence. In the view, that their propoſal ſhould meet her approbation, they promiſed and bound themſelves to advance the marriage with all their votes, counſel, and aſſiſtance; and to employ the points of their ſwords againſt all perſons

Their bond in his favour.

his cuſtody. Mem. Scot. tom. xiii. fol. 30. ap. Keith, p. 382. The idea that the ſubſcriptions of the nobility were obtained by ſoldiers ſurrounding them at Bothwel's entertainment is thus diſproved; and it is in itſelf wildly improbable. For he could not poſſibly have been ſo great an enemy to himſelf, as to think of compelling the Scottiſh nobility to ſubſcribe any deed to his advantage; and if he had really done ſo, it is not to be doubted but that they would have taken an early opportunity to puniſh him, and to reſent an indignity ſo inſolent and humiliating.

Book III. 1567. whatſoever who ſhould preſume to diſturb ſo deſirable an event. To allure her to a compleat reliance upon them, they even invited her to give them her truſt, as they ſhould anſwer to God for their engagements; and they ſolemnly declared that if they performed not amply their ſtipulations, they ſhould be contented to enjoy, for the future, no reputation or credit, and to be holden as moſt unworthy and faithleſs traitors *.

The

* Keith, p. 381. The ſubſcribers to this bond were, "Santandrois, William biſhop of Aberdeen, Alexander epiſcopus Candidæ Caſæ, William biſhop of Dumblain, Alexander epiſcopus Brechinen. Joannes epiſcopus Roſſen. John biſhop of the Iſles, Adam Orchaden. George earl of Huntley, Argyl, Mortoun, Caſſilis, Sutherland, Errol, Crawford, Cathnes, Rothes. The lords R. Boyd, John lord Glammis, Wm. Ruthven, Sempill, Herys, Ja. lord Ogilvy, Flemyng." Keith, p. 383. An acute writer has conjectured with great probability that there were other ſubſcribers to the bond; and that Sir James Balfour, in his atteſted copy, took down only the names of the great men. Goodal, vol. i. p. 364. vol. ii. p. 361.

As ſeveral of Mary's moſt ſtrenuous friends put their names to this deed, it has been imagined that ſhe was privy to it. This however is expreſsly denied by her, and is, indeed, inconſiſtent with the ſtrain of her conduct. Anderſon, vol. i. p. 94. The fact is, that Bothwel, amidſt his other deviſes, employed the artifice of affirming that ſhe would be pleaſed by this mark of reſpect to her. Keith, p. 389. 393. In the conference held at York it was ſaid, that ſhe had even granted a warrant allowing the nobles to ſubſcribe this deed. Goodal, vol. ii. p. 140. But this pretended warrant was only ſhewn to Elizabeth. Anderſon, vol. iv. part ii. p. 59. It was never heard of till after the forgery of the letters; a circumſtance that is moſt ſuſpicious. It was never produced in court; and if any genuine paper of this ſort had actually exiſted, a judicial exhibition of it would have taken place.

The ſtrong language of the bond is alſo an internal and clear evidence that Mary was not privy to it. If ſhe had been ſo, the terms employed in it would have been general. The nobles would never have expreſſed themſelves in ſuch a way, as that the imputation of *perjured traitors* ſhould have been applicable to them. The uſe of this language is an evidence

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The earl of Murray pays a viſit to Elizabeth in his way to France.

The earl of Murray, in the mean time, that he might appear to be diſengaged from the preſent intrigues had aſked permiſſion from the Queen to go to France; and taking his way through England he neglected not to pay his court to Elizabeth *. All the reports which had ariſen to the diſcredit of Mary were confirmed by him; and he now circulated the intelligence that ſhe was ſoon to take in marriage the earl of Bothwel. As this rumour preceded the ſubſcription of the bond by the nobility recommending that meaſure, it was intended to fix the greater reproach upon the Queen, and to give

evidence that the Queen was infinitely averſe in their opinion from the marriage; and that they had no method to puſh the buſineſs, but by intimidating her.

It is obſervable too, that immediately before her marriage the nobles applied to Mary for a pardon for having preſumed to point out a huſband to her, and for having ſubſcribed the bond they had given to Bothwel. Now, if ſhe had granted them a warrant for ſubſcribing the bond, there was no occaſion to pardon them for this tranſaction. Their fears were the conſequence of their guilt, and of their having acted without any concurrence with her. Hence their application for a pardon; and in fact ſhe extended her mercy to them. The act of remiſſion for this offence is yet extant. It gives a direct and fatal wound to the hypotheſis which affirms her guilt, and is of the following tenor.

"The Queene's majeſtie having ſeen and conſiderit the "band above-written, [the bond of the nobles] promittis, "on the word of a princeſs, that ſhe, nor her ſucceſſors, "ſall never impute as cryme or offence to any of the perſons "ſubſcryvers thairof thair conſent and ſubſcryptione to the "matter above-written thairein contenit; nor that thai, nor "thair heirs, ſall never be called and accuſit thairefore; nor "zit ſall the ſaid conſent or ſubſcryving be any derogatione "or ſpot to their honor, or thai eſtemit undutiful ſubjects "for doing thairof, notwithſtanding whatſoever thing can "tend to be allegit to the contrair." Anderſon, vol. i. p. 111.

* Keith, p. 374. He left Scotland upon the 9th day of April, after having concerted meaſures with Morton and Lethington.

Book III. 1567. ſtrength to all the wildeſt ſuſpicions which had previouſly gone abroad to her diſadvantage. Her partizans in England were infinitely alarmed. A ſtep ſo imprudent might loſe to her for ever her reputation, and be a bar to her claims upon the Engliſh crown. Repeated inquiries, and remonſtrances were diſpatched to Scotland upon the ſubject of a deſign, in every reſpect ſo exceptionable *. And Elizabeth, herſelf, while her miniſters were ſpreading with art the moſt cruel reproaches and calumnies againſt the Queen of Scots, addreſſing a letter to her, affected to caution her upon a point ſo delicate, and entreated that ſhe would not afford ſo miſchievous a handle to the artifices of her enemies †.

Bothwel conveys the Queen to Dunbar. Mary, upon the diſſolution of the Parliament had gone to Stirling to viſit the young prince. Bothwel armed with the bond of the nobles, aſſembled a thouſand horſe under the pretence of protecting the borders of which he was the warden; and meeting her upon her return to her capital diſmiſſed her attendants, and carried her to his caſtle of Dunbar. To prevent interruption and bloodſhed, and with a view to ſtop inquiry for a time, he had ordered his officers to inform Sir James Melvil, and the gentlemen of her retinue, that what he did was in obedience to her command ‡. The ſenſe of his guilt, the danger of a diſcovery, hope, deſire, and ambition, all concurred to give the firmeſt determination to his purpoſes. The Queen was now his priſoner; and he muſt win her, or be undone.

His artifice and the ſeduction of the Queen. An outrage ſo unexpected, ſo daring, and from a ſubject ſo faithful and ſubmiſſive filled Mary with indignation and ſurprize. She loaded him

* Melvil, Memoirs, p. 156. † Anderſon, Collections, vol. i. p. 196. ‡ Melvil, Memoirs, p. 158.

with

with reproaches, called to his mind all the favours she had bestowed upon him, and wondered at that vileness of ingratitude which could permit him to be so rude and hostile to her. He entreated her pardon in the most humble terms; and sought to soften and remove her resentment and apprehensions by the timid respectfulness of his behaviour. He told her of the vehemency of his love, and of the malice of his enemies. He imputed his enterprize to these motives; and conjured her to condescend to take him for her husband, and to afford him that assurance of her favour as it alone was sufficient to protect him. He protested that his happiest wish was to devote his life to her; and that the only sovereignty he courted was to serve and obey her with the most unremitting zeal, and the fondest attachment. Having advanced this suit and offer he communicated to her the bond of the nobles, and displayed its recommendations and promises. Her amazement was infinite. She perceived that he had gained to him the principal men of her kingdom. She was his prisoner; and no inquiries were made for her. She had no counsellor and no friend with whom to consult; and there was no prospect of an insurrection in her favour *. Her resistance could

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* Spotswood, p. 202. copying Buchanan, a very inadequate authority, has said, that her nobles sent her a message informing her that they would come with an army to her deliverance, and that she refused their offer. Mr. Hume and other writers have adopted these mistakes. But nothing could be farther from the intention of the faction of Murray and Morton than to give her any assistance; and their power was now so formidable as to prevent every interference in her behalf from any other quarter. This offer is also inconsistent altogether with the bond subscribed by the nobility; and Murray and his party never affirmed that any such message had been sent. Indeed from the nature of the fact its certainty would have been established beyond a doubt by the enemies

Book III. could avail nothing; and his importunities were inceſſant. The vivacity of her diſpleaſure abated. She turned over in her thoughts his propoſal, and the bond of her nobles. He pointed out to her the condition of her people, which would not permit her to be long in a ſtate of widowhood. He diſplayed their diviſions and turbulence; explained their unwillingneſs to receive a foreign prince unacquainted with their laws and government; and inſiſted that there was an abſolute neceſſity for her to have for a huſband a native of her own realm whoſe activity, power, and courage could maintain it in order, and ſuppreſs commotions and conſpiracies. He recalled to her memory his ſervices to her mother, and to herſelf. He repeated the ardent deſire with which he was animated to continue them; and he beſought and implored her not to effect his ruin by her rigour, and not to forfeit the affections of her nobles. The helpleſſneſs of her ſituation, his merits, his addreſs, his aſſiduity, and his perſuaſions overcame her. She gave him her promiſe that ſhe would take him to be her huſband *.

1567.

This fatal promiſe while it invigorated all his paſſions, gave a relief to the painful agitations of the Queen. The recentneſs of her terrors diſpoſed her the more readily to give admittance to ſofter ſenſations; and he had too much gallantry not to preſs this advantage, and to diſplay all the ardours of a lover. He even affected to have fears of the diſappointment of his love. All her feelings were exquiſite; and he knew how to awaken

enemies of Mary if it had been real. And in this view of the matter ſhe could not have ventured to inſert in her public inſtructions to her ambaſſador at Paris this expreſſive paſſage. "We ſaw no eſperance to be rid of him, [Bothwel], "never man in Scotland makand an mynt to procure our "deliverance." Keith, p. 390.

* Keith, p. 388. 392.

awaken them. The elegance of their entertainment, of which he had previouſly been careful, their ſolitude, and the near proſpect of their indiſſoluble union, invited them to indulge in the delirium of pleaſure. During twelve days ſhe was under the dominion of a young and agreeable, a daring, and an unprincipled profligate; ſkilful in ſeduction and accuſtomed to impoſe upon female frailty; who could read in her look the emotions of her heart, and the ſecret workings of forbidden deſires; allure her mind to give itſelf up to the power of the imagination and the ſenſes; take a paſtime even in her pangs of remorſe, and make them act as a zeſt to enjoyment; mark the conflicts and the progreſs of expiring virtue; and exult in the triumphs of ſenſibility over ſhame *.

He is divorced from lady Jane Gordon.

After that Bothwel had anticipated with the Queen the tendereſt rights of a huſband, it was proper to think of the ceremonial of their marriage; and here a difficulty preſented itſelf. For ſix months before the adventure of Dunbar, he had married lady Jane Gordon, the ſiſter of the earl of Huntley. As however they were couſins within the prohibited degrees, and had not obtained a diſpenſation from Rome, their alliance in the opinion of the Queen and her Roman catholic ſubjects was illicit, and a profane mockery of the ſacrament of the church †. He had alſo been unfaithful to her bed. Two actions of divorce, therefore, were inſtituted. The lady commenced a ſuit againſt him in the court of the commiſſaries, charging him as guilty of adultery with one of her maids. The earl himſelf brought a ſuit againſt his wife before the court of the arch-

* Anderſon, Collections, vol. i. p. 90. 100. 131.

† Lord Hailes, Remarks on the Hiſtory of Scotland, p. 201, 202.

biſhop

Book III. 1567. biſhop of St. Andrews upon the plea of conſanguinity. By both courts their marriage was decided to be void; and thus two ſentences of divorce were pronounced *.

He conducts the Queen to Edinburgh, and receives her pardon.

Bothwel, ſo ſucceſsful by himſelf, and by his friends, now conducted the Queen from Dunbar to her capital. But inſtead of attending her to her palace of Holyrood houſe, his jealouſy and

May. apprehenſions induced him to lodge her in the caſtle of Edinburgh, where he could hold her in ſecurity againſt any attempt of his enemies. To give ſatisfaction, however, to her people, and to convince them that ſhe was no longer a priſoner, a public declaration upon her part appeared to be a meaſure of expediency. She preſented herſelf, therefore, in the court of ſeſſion; the lords chancellor and preſident, the judges, and other perſons of diſtinction being preſent. After obſerving, that ſome ſtop had been put to the adminiſtration of juſtice upon account of her being detained at Dunbar againſt her will by the lord Bothwel, ſhe declared, that though ſhe had been highly offended with the outrage offered to her, ſhe was yet inclined to forget it. His courteouſneſs, the ſenſe ſhe entertained of his paſt ſervices to the ſtate, and the hope with which ſhe was impreſſed of his zeal and activity in the future, compelled her to give him and his accomplices in her impriſonment, a full and compleat pardon. She, at the ſame time, deſired them to take notice, that ſhe was now at her freedom and liberty; and that ſhe propoſed, in conſideration of his merits, to take an early opportunity to promote him to new and diſtinguiſhed honours †.

* Crawfurd, Memoirs, p. 18. Knox, p. 433. Keith, p. 383. Goodal, vol. i. p. 367. † Anderſon, Collections, vol. i. p. 87, 88.

It

It was underſtood that the Queen was immediately to advance him to be her huſband. The order was given for the proclamation of the banns; and Mr. John Craig one of the miniſters of Edinburgh was deſired to perform this buſineſs. But though the order was ſubſcribed by the Queen, he refuſed abſolutely his compliance without the authority of the church. The brethren, after long reaſonings, granted him permiſſion to diſcharge this duty. His ſcruples, notwithſtanding, and delicacy were not yet removed. He proteſted that in obeying their deſire, he ſhould be allowed to ſpeak his own ſentiments concerning the marriage, and that his publiſhing the banns ſhould infer no obligation in him to officiate in the ſolemnity. In his congregation, accordingly, before a crowded audience, and in the preſence of ſeveral noblemen and privy counſellors, he declared that the marriage of the Queen and the earl of Bothwel was unlawful, and that he was prepared to give his reaſons for this opinion to the parties themſelves. He added, that if this liberty was denied to him, he would either abſtain altogether from proclaiming the banns, or take the liberty after proclaiming them to inform his people of the cauſes of his diſapprobation of the marriage. He was carried before the lords of the privy council; and the earl of Bothwel called upon him to explain his behaviour. He anſwered, that the church had prohibited the marriage of perſons ſeparated for adultery; and that the divorce between him and his wife muſt have been owing to colluſion; ſince the ſentence had been given with precipitation, and ſince his new contract was ſo ſudden; and he objected to him the abduction and raviſhment of the Queen, and the ſuſpicion of his guilt in the King's murder. This bold language drew no

The proteſtant clergy authorize proclamation of the banns of marriage between the Queen and Bothwel.

reply

Book III. 1567. reply from Bothwel that was ſatisfactory to Mr. Craig, or that could intimidate him. He proclaimed in his church the banns of the marriage; but he told the congregation, that he diſcharged the ſuggeſtions of his conſcience in pronouncing it to be a deteſtable and ſcandalous engagement. He expreſſed the ſorrow he felt for the conduct of the nobility, who ſeemed to approve it from their flattery or ſilence; and addreſſing himſelf to the faithful, he beſought them to pray to the Almighty, that he would turn a reſolution intended againſt law, reaſon, and religion, into a comfort and benefit to the church and the kingdom. Theſe freedoms were too great to remain unnoticed. Mr. Craig was ordered anew to attend the privy council; and he was reprimanded with ſeverity for exceeding the bounds of his commiſſion. He had the courage to defend himſelf. His commiſſion, he ſaid, was founded in the word of God, poſitive law, and natural reaſon; and upon the foundation of theſe topics he was about to prove that the marriage muſt be univerſally foul and odious, when the earl of Bothwel commanded him to be ſilent. The privy council ſtruck with the vigour of the man, and apprehenſive of the public diſcontents, did not dare to inflict any puniſhment upon him; and this victory over Bothwel, while it heightened all the ſuſpicions againſt him, ſerved to encourage the enemies of the Queen, and to undermine the reſpectful admiration of her ſubjects *.

The Queen makes Bothwel duke of Orkney, and marries him. 15 May. Mary before ſhe tendered her hand to Bothwel created him duke of Orkney. The ceremony was performed in a private manner after the rules of the popiſh church; but to gratify the

* Anderſon, Collections, vol. ii. p. 278. 282. Knox, p. 443. 444.

people,

people, it was likewiſe ſolemnized publicly according to the proteſtant rites by Adam Bothwel, biſhop of Orkney; an eccleſiaſtic who had renounced the epiſcopal order for the reformation *. It was celebrated with little pomp and feſtivity. Many of the nobles had retired to their ſeats in the country; and thoſe who attended were thoughtful and ſad. Du Croc, the French ambaſſador, ſenſible that the match would be diſpleaſing to his court, refuſed to give his countenance to the ſolemnity. There were no acclamations of the common people †. Mary herſelf was not inconſcious of the imprudence of the choice ſhe had made, and looked back with ſurprize and ſorrow to the train of circumſtances which had conducted her to this fatal event. Forſaken by her nobles, and impriſoned at Dunbar, ſhe was in ſo perilous a ſituation that no remedy could ſave her honour but death. Her marriage was the immediate and neceſſary conſequence of that ſituation ‡. It was the point for which her ene- Book III. 1567.

* Melvil, Memoirs, p. 160. † Spotſwood, p. 203.

‡ "The Queen, ſays Melvil, could not but marry him, "ſeeing he had raviſhed her, and lain with her againſt her "will." Memoirs, p. 159. This is a rough and expreſſive ſtroke of the chiſel. In the following paſſage from an hiſtorian of great authority in our hiſtory this topic is touched with no leſs exactneſs, but with greater delicacy. "After "Mary had remained a fortnight under the power of a daring profligate adventurer, ſays my lord Hailes, few foreign "princes would have ſolicited her hand. Some of her ſubjects might ſtill have ſought that honour; but her compliance would have been humiliating beyond meaſure: it "would have left her at the mercy of a capricious huſband; "it would have expoſed her to the diſgrace of being reproached, in ſome ſullen hour, for the adventure at Dunbar. Mary was ſo ſituated, at this critical period, that "ſhe was reduced to this horrid alternative; either to remain in a friendleſs and moſt hazardous celibacy, or to "yield her hand to Bothwel." Remarks on the Hiſtory of Scotland, p. 204.

mies

Book III. 1567. mies had laboured with a wicked and relentleſs policy. They had brought her to embark on that tempeſtuous ſea, where ſhe was to wreck all her greatneſs.

He finds himſelf in a difficult condition. While the marriage of the Queen was the ſignal for the revolt of Morton and Lethington from the party of Bothwel, it ſtruck an alarm into ſtateſmen whoſe views were very oppoſite, and who felt for the honour of the nation. Amidſt the buſy anxieties of the crimes which had raiſed Bothwel to a crown, he had made no preparations to fix himſelf in power. Nor did he poſſeſs thoſe talents which were ſuited to the dangers of that giddy height to which he had been lifted. A very delicate exerciſe of authority was even requiſite upon the part of the Queen. To be prodigal to him of titles and honours was neither proper in itſelf, nor agreeable to the preſent ferments of the people. She had made him her huſband; but ſhe pretended not of herſelf, nor beſought her Eſtates, to advance him to the dignity of a King; and by the contract of their marriage it was ſtipulated, that he ſhould conclude no public buſineſs, and confer and beſtow no gift, privilege, or place, without her concurrence *.

He tries to eſtabliſh his authority. It was only by ſlow degrees, and by habits of caution, vigilance, and addreſs, that he could hope to be formidable. With the aſſiſtance of the Queen, it was his firſt care to uphold the ſplendour of the court; and, immediately after the marriage the board of privy council reflected a luſtre to him by its diſtinction. There aſſiſted in it, the earls of Huntley and Crawfurd, the lords Fleming, Herries, and Boyd, with the archbiſhop of St. Andrews, and the biſhops of Gal-

* Public Papers, ap. Goodal, vol. ii. p. 60.

loway

loway and Roſs *. It was likewiſe an early object of their attention to endeavour to conciliate to them the courts of England and France. The Queen diſpatched the biſhop of Dunblain and Sir Robert Melvil as her ambaſſadors to them with inſtructions to apologize for her marriage, and to requeſt the continuance of their amity †. Book III. 1567.

But while the earl of Bothwel was ſtudious to act with a view to his ſecurity and conſequence, his jealous fears and the narrowneſs of his policy induced him to ſeek the cuſtody of the prince with an earneſt anxiety, and a ſuſpicious precipitation. He employed entreaties and menaces to engage the earl of Marre to ſurrender to him this precious charge. As it was known, however, that the Queen repoſed an entire confidence in the integrity of this nobleman, to whom ſhe had entruſted her ſon, and as no ſolicitations were made to him upon her part, he did not underſtand by what title the prince was demanded from him. He was anſwerable to the Queen and to the Eſtates for his conduct; and it was his firm reſolution to maintain his loyalty and honour. The times were full of ſuſpicions. It was thought that the murderer of the father meant to ſtain his hands with the blood of the ſon. The moſt enormous crimes were connected with the infamy of his character; and men of every condition concurred to think of him with execration and horror ‡. He diſcovers a ſolicitude to have poſſeſſion of the young prince; and inflames the national animoſities.

The earl of Murray after he had viſited the Engliſh court proceeded to France, where he aſſiduouſly diſſeminated all the reports againſt the Queen which were injurious to her reputation; and where, without being expoſed to ſuſ- Machinations of the earl of Murray and his party.

* Keith, p. 387. † Anderſon, Collections, vol. i. p. 89. 102. ‡ Melvil, Memoirs, p. 161.

Book III. 1567. picion, he was able to maintain a close correspondence with his friends Morton and Lethington, and to inspirit their machinations. His associates true to his ambition and their own, had promoted all the schemes of Bothwel upon the Queen with a power and influence which had insured their success. In confederacy with the earl of Murray himself they had conspired with him to murder the King. Assisted with the weight of the earl of Murray, they had managed his trial, and operated the verdict which acquitted him. By the same arts, and with the same views they had joined with him to procure the bond of the nobles recommending him to the Queen as a husband, asserting his integrity and innocence, recounting his noble qualities, expressing an unalterable resolution to support the marriage, against every opposer and adversary, and recording a wish that a defection from its objects and purposes should be branded with everlasting ignominy, and held out as a most faithless and perjured treachery *. When the end however was

* The conclusion of the bond is expressed in the following terms. "In caice the former affectionate and hartlie ser-"vice of the said erle done to her Majestie from tyme to "tyme, and his uther gude qualities and behaviour, may "move her Majestie so farr to humble her selff, as prefer-"ring ane of her native born subjects unto all forrane "princis, to tak to husband the said erle, wee, and everie "ane of us undersubscryveand, upon our honors and fide-"litie, oblies us, and promitts, not onlie to forder, advaunce "and set fordwart the mariage, to be solemnizat and com-"pleitit betwix her hienes and the said noble lord, with "our voatis, counsell, fortificatioun, and assistance in word "and deid, at sic tyme as it sall pleise her Majestie to think "it convenient, and how sone the lawes sall leave it to be "done; but in caice onie wald presume directlie or indi-"rectlie, opinlie, or under qubatsumevir colour or pretence, "to hinder, hald back, or disturb the same mariage, we "sall in that behalfe, esteime, hald and repute the hinde-

"raris,

was accompliſhed for which they had been ſo zealous, and when the marriage of the Queen was actually celebrated, they laid aſide the ſmiling and deluſive vizor of friendſhip, and were in haſte to entitle themſelves to the ignominy which they had invited to fall upon them. The murder of the King, the guilt of Bothwel, his acquittal, his divorce, and his marriage became the topics of their complaints and declamation. Upon the foundation of this hated marriage they even ventured privately to infer the privity of the Queen to all his iniquity and tranſactions; and this ſtep ſeemed doubtleſs to the maſs of her own ſubjects and to more diſtant obſervers, a ſtrong confirmation of all the former ſuſpicions to her ſhame which had been circulated with ſo much artifice. The ſtabbing outrage of their imputations and deviſes excited againſt her, both at home and abroad, the moſt indignant and humiliating odium. Amidſt the ruins of her fame they thought to bury for ever her tranquillity and peace; and in the convulſions they had meditated, they already were anticipating the downfal of Bothwel, and ſnatching at the crown that tottered on her head *.

Book III. 1567.

But while this cabal were proſecuting their private ends, ſeveral noblemen not leſs remarkable for their virtue than their rank, were eager

A confederacy is formed againſt the Queen and Bothwel.

" raris, adverſeris, or diſturbaris thairof, as our comoune " enimyis and evill willeris; and notwithſtanding the " famyn, tak pairt and fortifie the ſaid erle to the ſaid ma- " riage, ſo far as it may pleiſe our ſaid Soverane Lady to " allow; and thairin ſall ſpend and beſtow our lyves and " guidis againes all that leive or die may, as we ſall anſwer " to God, and upon our awin fidelities and conſcience; and " in caice we doe in the contrare, never to have reputatioun " or credite in no time hereafter, but to be accounted un- " worthie and faithleſs traytors." Keith, p. 381.

* Camden, p. 404. Melvil, Memoirs, p. 163.

Book III. to vindicate the national integrity and honour. The earl of Athol upon the King's murder had retired from the court, and was waiting for a proper ſeaſon to take revenge upon the regicides. The earl of Marre, uneaſy under the charge of the young prince, was ſolicitous to make himſelf ſtrong that he might guard him from injury. Motives ſo patriotic and honourable drew applauſe, and partizans. It was ſufficient to mention them. By private conference and debate an aſſociation was inſenſibly formed to puniſh the murderers of the King, and to protect the perſon of the prince. Morton and Lethington encouraged and proſpered a combination from which they might derive ſo much advantage. A convention, accordingly, was appointed at Stirling for the purpoſe of conſulting upon the meaſures which it was moſt expedient to purſue. After mutually invigorating their hopes and pledging their ſincerity, they agreed to take an early opportunity to appear in the field; and when they ſeparated it was to collect their retainers, and to inſpirit their paſſions *.

1567.

Proclamations by the Queen. 28 May.

Of this confederacy the leading men were the earls of Argyle, Athol, Morton, Marre, and Glencairn, the lords Hume, Semple and Lindſay, the barons Kircaldy of Grange, Murray of Tullibardin and Maitland of Lethington. The earl of Bothwel was ſenſible, that if he was to ſit upon a throne, he muſt wade to it through blood. By his advice, two proclamations were iſſued in the name of the Queen under the pretence of ſuppreſſing inſurrections and depredations upon the borders. By the former, ſhe called together in arms upon an early day the earls, barons, and freeholders of the diſtricts of Forfar and Perth,

* Spotſwood, p. 204.

Strathern,

Strathern, and Menteith, Clackmannan, Kinroſs, and Fyfe. By the latter ſhe charged the greater and leſſer baronage with all the inferior proprietors of the ſhires of Linlithgow and Edinburgh, and of the conſtabulary of Haddington and Berwick, to prepare immediately for war, and to keep themſelves in readineſs to march upon her order *. Theſe military preparations admoniſhed the aſſociation to be firm and active, and added to the public inquietudes and diſcontents. The rumours againſt the Queen were moſt inclement and loud. It was ſaid, that ſhe meant to overturn the conſtitution and the laws; that ſhe had been careleſs of the health of her ſon, and was altogether indifferent about his preſervation; that ſhe had ſeparated herſelf from the councils and aſſiſtance of her nobles; and that ſhe wiſhed to make her whim or diſcretion the only rule of her government. Agitated with the hazardous ſtate of her affairs ſhe publiſhed a new proclamation, in which ſhe employed herſelf to refute theſe accuſations; and in which ſhe took the opportunity to expreſs in a very forcible manner, not only her attachment to her people and the laws, but the fond affection that ſhe bore to the prince, whom ſhe conſidered as the chief joy of her life, and without whom all her days would be comfortleſs †. Book III. 1567.

The declarations of the Queen were treated with ſcorn. The nobles, abounding in vaſſals, and having the hearts of the people were ſoon in a ſituation to take the field. They were advancing to the capital. The royal army was not yet aſſembled; and the Queen and Bothwel ſuſpected that the caſtle of Edinburgh would ſhut its gates upon them. The fidelity of Sir James The nobles force the Queen from her capital.

* Keith, p. 395. † Spotſwood, p. 205. Keith, p. 396.

Book III. 1567. 6 June.

Balfour the deputy governor had been ſtaggered by the practices of the earl of Marre and Sir James Melvil. Mary left her palace of Holyrood houſe, and was conducted to Borthwick caſtle. The aſſociated lords informed of her flight took the road to this fortreſs with two thouſand horſe. The lord Hume by a rapid march preſented himſelf before it with the diviſion under his command; but being unable to guard all its avenues, the Queen and Bothwel effected their eſcape to Dunbar; where the ſtrength of the fortifications gave them a full ſecurity againſt a ſurprize *.

And take poſſeſſion of it.

Upon this ſecond diſappointment, the nobles reſolved to enter Edinburgh, and to augment their ſtrength by new partizans. The earl of Huntley and the Lord Boyd were here on the ſide of the Queen, with the archbiſhop of St. Andrews, the biſhop of Roſs, and the abbot of Kilwinning. They endeavoured to animate the inhabitants to defend their town, and the cauſe of their ſovereign. But the tide of popularity was favourable to the confederated lords. The magiſtrates ordered the gates of the city to be ſhut; but no farther reſiſtance was intended. The lords forcing St. Mary's port found an eaſy admittance, and took poſſeſſion of the capital. The earl of Huntley and the Queen's friends fled to the caſtle, to Sir James Balfour, who had been the confident of Bothwel, and who agreed to protect them, although he was now concluding a treaty with the inſurgents †.

Their proclamations. 11 June.

The aſſociated lords now formed themſelves into a council, and circulated a proclamation. By this paper they declared that the Queen being detained in captivity, was neither able to govern

* Melvil, Memoirs, p. 162. Knox, p. 445. † Spotſwood, p. 205.

her

her realm, nor to command a proper trial to be taken of the King's murder. In an emergency ſo preſſing they had not deſpaired of their country; but were determined to deliver the Queen from bondage, to protect the perſon of the prince, to revenge the murder of the King, and to vindicate the nation from the infamy it had hitherto ſuffered through the impunity of the regicides. They therefore commanded in general all the ſubjects of Scotland whatſoever, and the burgeſſes and inhabitants of Edinburgh in particular to take a part with them, and to join in the advancement of purpoſes ſo beneficial and ſalutary *. The day after they had publiſhed this proclamation, they iſſued another, in terms that were ſtronger and more reſolute. They definitively expreſſed their perſuaſion of Bothwel's guilt in the rape and ſeduction of the Queen, and in his perpetration of the King's murder in order to accompliſh his marriage. They inculcated it as their firm opinion, that Bothwel was now inſtigated with a deſign to murder the young prince, and that he was collecting troops with this view. Addreſſing themſelves, therefore, to all the ſubjects of the realm whether they reſided in counties or in boroughs, they invited them to come forward to their ſtandard; and deſired them to remember, that all perſons who ſhould preſume to diſobey them, ſhould be treated as enemies and traitors †.

Book III. 1567.

Bothwel, in the mean time, was not inactive; and the proclamations of the Queen had brought many of her vaſſals to her aſſiſtance. Four thouſand combatants ranged themſelves on her ſide. This force might augment as ſhe approached to

The royal army marches againſt them.

The Queen's manifeſto.

* Anderſon, Collections, vol. i. p. 128. † Ibid. p. 131.

Book III. her capital; and Bothwel was impatient to put his fortunes to the iſſue of a battle. He left the ſtrong caſtle of Dunbar, where the nobles were not prepared to aſſail him; and where he might have remained in ſafety till they diſperſed themſelves. For their proclamations were not ſo ſucceſsful as they had expected; their proviſions and ſtores were ſcanty; and the zeal of the common people unſupported by proſperity would ſoon have abated. This imprudent precipitation ſerved them in a moſt effectual manner. When the Queen had reached Gladſmoor ſhe ordered a manifeſto to be read to her army, and to be circulated among her ſubjects. By this paper, ſhe replied to the proclamations of the confederated nobles, and charged them with treachery and rebellion. She treated their reaſons of hoſtility as mere pretences, and as inventions which could not bear to be examined. As to the King's murder ſhe proteſted, that ſhe herſelf was fully determined to revenge it, if ſhe could be ſo fortunate as to diſcover its perpetrators. With regard to the bondage from which they were ſo deſirous to relieve her, ſhe obſerved that it was a falſehood ſo notorious that the ſimpleſt of her ſubjects could confute it; for her marriage had been celebrated in a public manner, and the nobles could hardly have forgotten, that they had ſubſcribed a bond recommending Bothwel to be her huſband. With regard to their induſtrious defamations of this nobleman, it was urged, that he had diſcovered the utmoſt ſolicitude to eſtabliſh his innocence. He had invited a ſcrutiny into his guilt; the juſtice of his country had abſolved him; the three Eſtates aſſembled in parliament were ſatisfied with the proceedings of his judges and jury; and he had offered to maintain his quarrel againſt any perſon whatſoever

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whatſoever who was equal to him in rank, and of an honeſt reputation. The nobles, ſhe ſaid, to give a fair appearance to their treaſon pretended, that Bothwel had ſchemed the deſtruction of the prince, and that they were in arms to protect him. The prince, however, was actually in their own cuſtody; the uſe they made of him was that of a ſkreen to their perfidiouſneſs; and the real purpoſes with which they were animated, were the overthrow of her greatneſs, the ruin of her poſterity, and the uſurpation of the royal authority. She therefore entreated the aid of her faithful ſubjects; and as the prize of their valorous ſervice, ſhe held out to them the eſtates and poſſeſſions of the rebels *. Book III. 1567.

The aſſociated nobles pleaſed with the approach of the Queen put themſelves in motion. In the city of Edinburgh they had gathered an addition to their force; and it happened that the Scottiſh officer who commanded the companies which, in this period, the King of Denmark was permitted to enliſt in Scotland had been gained to aſſiſt them †. He had juſt compleated his levies; and he turned them againſt the Queen. The nobles, after advancing to Muſſelburgh refreſhed their troops. The intelligence was brought, that the Queen was upon her march. The two armies were nearly equal in numbers; but the preference in point of valour and diſcipline belonged deciſively to the ſoldiers of the nobles. The Queen poſted herſelf on the top of Carberry Hill. The lords taking a circuit to humour the ground, ſeemed to be retreating to Dalkeith; but wheeling about, they approached to give her battle. They were ranged in two

The two armies meet at Carberry Hill.

* Spotſwood, p. 206. † Lennox's Regiſter of Letters, ap. Goodal, vol. i. p. 378.

diviſions,

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diviſions. The one was commanded by the earl of Morton and the lord Hume. The other was directed by the earls of Athol, Marre, and Glencairn, with the lords Lindſay, Ruthven, Semple, and Sanqhuar. Bothwel was the leader of the royal forces; and there ſerved under him the lords Seton, Yeſter, and Borthwick *.

The French ambaſſador tries to reconcile the Queen and the nobles.

It was not without apprehenſions that Mary ſurveyed the formidable appearance of her enemies. Du Croc, the French ambaſſador, haſtened to interpoſe his good offices, and to attempt an accommodation. He aſſured the nobles of the peaceful inclinations of the Queen, and that the generoſity of her nature diſpoſed her not only to forgive their preſent inſurrection, but to forget all their former tranſgreſſions. The earl of Morton informed him, that they had not armed themſelves againſt the Queen, but againſt the murderer of the late King; and that if ſhe would ſurrender him up to them, or command him to leave her, they would conſent to return to their duty. The earl of Glencairn deſired him to obſerve, that the extremity to which they had proceeded might have inſtructed him that they meant not to aſk pardon for any offences they had committed, but that they were reſolved to take cognizance of injuries which had provoked their diſpleaſure. This aſpiring language confounded Du Croc who had been accuſtomed to the worſhipful ſubmiſſions that are paid to a deſpot. He conceived that all negociation was fruitleſs, and withdrew from the field in the expectation that the ſword would immediately give its law, and determine every difference †.

The Queen diſmiſſes Bothwel and enters into a treaty with her nobles.

Mary was full of perturbation and diſtreſs. The ſtate into which ſhe had been brought by

* Keith, p. 400. Spotſwood, p. 206. † Knox, p. 446.

Bothwel

Bothwel did not fail to engage her ſerious reflection. It was with infinite regret that ſhe conſidered the conſequences of her ſituation at Dunbar. Nor had his behavour ſince her marriage contributed to allay her inquietudes. The violence of his paſſions, his ſuſpicions, and his guilt, had induced him to ſurround her with his creatures, and to treat her with inſult and indignity. She had been almoſt conſtantly in tears. His demeanour, which was generally rude and indecent, was often ſavage and brutal. At different times his provocations were ſo inſulting, that ſhe had even attempted to arm her hand againſt her life, and was deſirous to relieve her wretchedneſs by ſpilling her blood*. Upon his account, ſhe was now encompaſſed with dangers. Her crown was in hazard. Under unhappy agitations ſhe rode through the ranks of her army, and found her ſoldiers diſpirited. Whatever reſpect they might entertain for her, they had none for her huſband. She was ſenſible of what paſſed in their minds. His own retainers and dependents only were willing to fight for him. He endeavoured to awaken the royal army to valour, by throwing down the gauntlet of defiance againſt any of his adverſaries who ſhould dare to encounter him. His challenge was inſtantly accepted by Kircaldy of Grange, and by Murray of Tullibardin. He objected that they were not peers. The lord Lindſay diſcovered the greateſt impatience to engage him; and his offer was admitted; but the Queen interpoſing her prerogative prohibited the combat. All the pride and hopes of Bothwel ſunk within him. His ſoldiers in ſmall parties were ſecretly abandoning their ſtandards. It was equally perillous

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* Melvil, Memoirs, p. 161.

to

Book III. to the Queen to fight or to fly. The expedient the moſt prudent for her was to capitulate. She 1567. deſired to confer with Kircaldy of Grange, who remonſtrated to her againſt the guilt and the wickedneſs of Bothwel, and counſelled her to abandon him. She expreſſed her willingneſs to diſmiſs him upon the condition that the lords would acknowledge their allegiance, and continue in it. Kircaldy paſſed to the nobles, and received their authority to aſſure her that they would honour, ſerve, and obey her as their princeſs and ſovereign. He communicated this intelligence to her. She adviſed Bothwel to provide for his ſafety by flight; and Kircaldy admoniſhed him not to neglect this opportunity of effecting his eſcape. Overwhelmed with ſhame, diſappointment, terror, remorſe, and deſpair, this miſerable victim of ambition and guilt, turned his eyes to her for the laſt time. To Kircaldy of Grange ſhe ſtretched out her hand: he kiſſed it; and taking the bridle of her horſe conducted her towards the nobles. They were approaching her with becoming reverence. She ſaid to them, "I am come, my lords, to expreſs my reſpect, "and to conclude our agreement; I am ready "to be inſtructed by the wiſdom of your coun- "ſels; and I am confident, that you will treat "me as your ſovereign." The earl of Morton, in the name of the confederacy, ratified their promiſes, and addreſſed her in theſe words, "Madam, you are here among us in your pro- "per place; and we will pay to you as much "honour, ſervice, and obedience, as ever in any "former period was offered by the nobility to "the princes your predeceſſors *."

* Public Papers, ap. Goodal, vol. ii. p. 165. Spotſwood, p. 207.

This

This gleam of ſunſhine was ſoon overcaſt. She remained not many hours in the camp, till the common ſoldiers, inſtigated by her enemies, preſumed to inſult her with the moſt unſeemly reproaches. They exclaimed indignantly againſt her as the murderer of her huſband. They reviled her as a lewd adultereſs in the moſt open manner, and in a language the moſt coarſe, and the moſt opprobrious. Her nobility forgot their promiſes, and ſeemed to have neither honour nor humanity. She had changed one miſerable ſcene for a diſtreſs that was deeper and more hopeleſs. No eye wept for her; no heart melted with her anguiſh. They ſurrounded her with guards, and conducted her to her capital. She was carried along its ſtreets, and ſhewn to her people in captivity and in ſadneſs. She cried out to them to commiſerate and protect her. They withheld their pity, and afforded her no protection. Even new inſults were offered to her. The loweſt of the populace whom the declamations of the clergy had driven into rage and madneſs, vied with the ſoldiery in the licentious outrage of invective and execration. She beſought Maitland to ſolicit the lords to repreſs the inſupportable atrocity of her treatment. She conjured him to let them know that ſhe would ſubmit herſelf implicitly to the determination of the parliament. Her entreaties and her ſufferings made no impreſſion upon the nobles. They continued the ſavage cruelty of their demeanour. She implored, as the laſt requeſt ſhe would prefer to them, that they would lead her to her palace. This conſolation too, was refuſed to her. They wiſhed to accuſtom her ſubjects to behold her in diſgrace, and to teach them to take a triumph in her miſeries. In the moſt mortified and afflicting hour ſhe had ever experienced, oppreſſed

They violate their promiſes, and treat her with ſeverity.

Book III. 1567. preſſed with fatigue, and disfigured with duſt and ſorrow, they ſhut her up in the houſe of the lord provoſt; leaving her to revolve in her anxious and agitated mind the indignities ſhe had already endured, and to ſuffer in anticipation the calamities they might yet inflict upon her *.

They reſolve to impriſon her for life.

The malice of Morton and his adherents was ſtill far from being gratified. In the morning when the Queen looked from the window of the apartment to which ſhe had been confined, ſhe perceived a white banner diſplayed in ſuch a manner as to fix her attention †. There was delineated upon it the body of the late King ſtretched at the foot of a tree, and the prince upon his knees before it, with a label from his mouth containing this prayer, "Judge and re-"venge my cauſe, O Lord!" This abominable banner revived all the bitterneſs of her afflictions. The curioſity of the people drew them to a ſcene ſo new, and ſo affecting. She exclaimed againſt the treachery of her nobles; and ſhe begged the ſpectators to relieve her from their tyranny. The eventful ſtory of the preceding day had thrown her capital into a ferment. The citizens of a better condition crowded to behold the degraded majeſty of their ſovereign. Her ſtate of humiliation, ſo oppoſite to the grandeur from which ſhe had fallen, moved them with compaſſion and ſympathy. They heard her tale, and were filled with indignation. Her lamentations, her diſorder, her beauty, all ſtimulated their ardour for her deliverance. It was announced to the nobles that the tide of popular favour had turned towards the Queen. They haſtened to appear before her, and to aſſure her with ſmiles and courteſy, that they were immediately to conduct

* Keith, p. 402. † Crawfurd, Memoirs, p. 33.

her

her to her palace, and to reinſtate her in her royalty. Impoſing upon her credulous nature and that beautiful humanity which characterized her even in the moſt melancholy ſituations of her life, they prevailed with her to inform the people, that ſhe was pacified, and that ſhe wiſhed them to diſperſe themſelves. They ſeparated in obedience to her deſire. The nobles now conveyed her to Holyrood houſe. But nothing could be farther from their intentions than her re-eſtabliſhment in liberty and grandeur. They held a council in which they deliberated concerning the manner in which they ought to diſpoſe of her. It was reſolved, that ſhe ſhould be confined during her life in the fortreſs of Lochlevin; and they ſubſcribed an order for her commitment *.

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A reſolution, ſo ſudden, ſo perfidious, and ſo tyrannical, filled Mary with the utmoſt aſtoniſhment, and drew from her the moſt bitter complaints and exclamations. Kircaldy of Grange, perceiving with ſurprize the lengths to which the nobles had proceeded, felt his honour take the alarm for the part he had acted at their deſire. He expoſtulated with them upon their breach of truſt, and cenſured the extreme rigour of the Queen's treatment. They counſelled him to rely upon the integrity of their motives, ſpoke of her paſſion for Bothwel, as moſt vehement, and inſiſted on the danger of entruſting her with power. He was not convinced by their ſpeeches, and earneſtly recommended lenient and moderate meaſures. Diſcreet admonitions, he ſaid, could not fail of impreſſing her with a full ſenſe of the hazards and inconveniencies of an improper paſ-

This violent reſolution is objected to.

A pretence is forged to juſtify it.

* This order was ſigned by the earls of Morton, Athol, Marre, and Glencairn; by the lords Ruthven, Hume, Lindſay, and Semple; and by other perſons of inferior conſequence. See Stat. James VI. ap. Black Acts, p. 16.

ſion,

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ſion, and a little time would cure her of it. They aſſured him that when it appeared, that ſhe deteſted Bothwel, and had utterly abandoned his intereſts, they would think of kindneſs and moderation. But this, they urged, could hardly be expected; for they had recently intercepted a letter from her to this nobleman, in which ſhe expreſſed in the moſt glowing terms the warmth of her love, and her fixed purpoſe never to forſake him*. Kircaldy was deſired to peruſe this letter; and he preſſed them no longer with his remonſtrances. The Queen, in the mean time, ſent a meſſage to this generous ſoldier, complaining of the cruelty of her nobles, and reminding him that they had violated their engagements.

* Mr. Hume is candid enough to give up the authenticity of this letter; and, indeed, ſo far as I have obſerved, there is not the ſlighteſt pretence of a reaſon to conceive it to be genuine. Hiſt. of Eng. vol. v. p. 120. It was not mentioned by the earl of Morton and his adherents to Throgmorton, when Elizabeth interfered in the affairs of Scotland upon the impriſonment of the Queen in the caſtle of Lochlevin; a period of time when theſe ſtateſmen were deſirous to throw out every imputation to her prejudice, and when in particular they were abuſing her with vehemence for her attachment to Bothwel. Keith, p. 419. Nor was it made uſe of by Murray before the Engliſh commiſſioners. Mary, in the condition to which the nobles had reduced her, could not well think of a ſtep of this ſort, although her attachment to Bothwel had been as ſtrong as they were pleaſed to pronounce it. For, not to ſpeak of the greatneſs of her diſtreſs, ſhe was guarded by them ſo ſtrictly as to make it vain for her to pretend to elude their vigilance. In regard, too, to her love of Bothwel it is not clear, that it was ever real. While the King was alive there are no traces of their improper intercourſe. The affair of Dunbar was a criminal ſeduction. The arts of a profligate man, the frailty of nature, and the violence of a temporary tenderneſs overcame her. There was no ſentiment of love upon either ſide. After her marriage his rudeneſs extinguiſhed in her altogether any remain of kindneſs and reſpect; and hence the coldneſs with which ſhe parted with him.

He

He inſtantly addreſſed an anſwer to it, recounting the reproaches he had made to them, ſtating his advice, deſcribing the ſurprize with which he had read her intercepted letter, and conjuring her to renounce and forget a moſt wicked and flagitious man, and by this victory over herſelf to regain the love and reſpect of her ſubjects. The device of a letter from her to Bothwel compleated the amazement of the Queen. So unprincipled a contempt of every thing that is moſt ſacred, ſo barbarous a perſeverance in perfidiouſneſs and injuſtice, extinguiſhed every ſentiment of hope in her boſom. She conceived that ſhe was doomed to inevitable deſtruction, and ſunk under a pang of unutterable anguiſh *.

She is ſhut up in the caſtle of Lochlevin.

The lords Ruthven † and Lindſay arrived in this paroxyſm of her diſtreſs, to inform her that they were commanded to put in execution the order for her commitment. They charged her women to take from her all her ornaments, and her royal attire. A mean dreſs was put upon her; and in this diſguiſe they conveyed her with precipitation to the priſon appointed for her. The lords Seton, Yeſter, and Borthwick thought to have reſcued her, but failed in the attempt. She was delivered over to William Douglas, the governor of the caſtle of Lochlevin, whom they enjoined to detain her in cloſe cuſtody. In this caſtle, which was ſituated in the middle of a lake, Mary could not eaſily contrive to carry on a correſpondence with her friends. Douglas, the governor, was nearly related to the earl of Morton, and had married the mother of the earl of Murray; a woman of an imperious temper, who had been the concubine of James V. but who

* Melvil, Memoirs, p. 167. † He was the heir of that Ruthven who aſſiſted in the aſſaſſination of Rizzio.

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fancied herſelf to have been his queen, and that her ſon was the true heir of the Scottiſh monarchy. The fidelity of ſuch keepers could not well be ſhaken; and the earl of Morton and his adherents found a malignant joy in reflecting, that here ſhe would not only experience the common ſeverities and languors of a priſon, but be expoſed to the bitter mortification of ſtudied inſults and neglects *.

The nobles ſubſcribe their firſt bond of concurrence.

Upon the ſame day upon which the nobles ſubſcribed the order for the impriſonment of the Queen, they entered into a bond of concurrence or confederacy. By this deed they bound and cemented themſelves into a body for the ſtrenuous proſecution of their quarrel; and it detailed the purpoſes which they were to forward and purſue. They propoſed to puniſh the murderers of the King, to examine into the Queen's rape, to diſſolve her marriage, to preſerve her from the bondage of Bothwel, to protect the perſon of the prince, aad to reſtore juſtice to the realm. The ſanction of a moſt ſolemn oath, confirmed their reliance upon one another; and in advancing their meaſures they engaged to expoſe and employ their lives, kindred, and fortunes †.

The duplicity of Morton and his adherents.

The proceedings againſt Bothwel.

The policy of Morton and Lethington, whoſe ſuperior talents had given them an aſcendant in the councils of the confederated nobles, produced this deed of concurrence. It was a tie by which they might keep them together: it was a foundation upon which they might call forth their ſtrength, and ſtimulate their zeal. But while they were affecting patriotiſm and honourable principles, they were exerciſing a conduct which could not be reconciled to them; and through all their diſſimulation and diſguiſes, they uni-

* Camden, p. 404. Keith, p. 403, 404. † Anderſon, Collections, vol. i. p. 134.

formly

formly betray the real and impelling ſprings of their activity. While they were crying out for the deliverance of the Queen from the tyranny of Bothwel, they were forcing her to ſubmit to the vileſt indignities, and taking meaſures to detain her in perpetual captivity. They were inculcating the love of their country; and they were overturning its government. They held out Bothwel as the ſource of all the miſchiefs which had formed the confederacy of the nobles; and amidſt their anxiety to operate his deſtruction, they were yet afraid to bring him to a trial and condemnation. Their fear was not the reſult of the power of Bothwel; for his conſequence was utterly annihilated. They dreaded that the ſcenes they had acted with him ſhould be fully revealed; they trembled with the recollection of his crimes, and their own; and they were ſenſible that his death upon the ſcaffold might alſo lead them to expire there. Upon his part he could not but conjecture their guilty terrors; and his behaviour and theirs from the capitulation of Carberry Hill, till he finally abandoned Scotland, are mutually an explanation of one another. When he put the ſpur to his horſe, and left the Queen with Kircaldy of Grange, it was eaſy for the aſſociated nobles to have ordered a party of troops to purſue him. But no order of this kind was given. He proceeded without diſturbance to the caſtle of Dunbar, and took up his reſidence in it. They had a formidable army, and yet they marched not to lay ſiege to this caſtle. He continued in it during ten days, waiting their motions with an anxious uncertainty. During all this time he was allowed to be at peace. The impriſonment of the Queen, their bond of concurrence, their uſurpation of the royal authority, and their re-

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solution to profecute the regicides were all violent blows againſt him; but they did not induce him to take to flight. They had ſeized ſeveral perſons under the ſuſpicion of being concerned in the King's murder; and by affirming that they were poſſeſſed of a ſufficient evidence of his guilt, they endeavoured to rouſe his fears, and to draw popularity to themſelves. Upon the eleventh day after the capitulation of Carberry Hill, they held a convention, and calling themſelves *Lords of the ſecret Council*, ordained letters to be directed in the Queen's name to heralds and meſſengers at arms to charge the keeper of the caſtle of Dunbar to ſurrender it to their mandate, becauſe he had admitted into it the earl of Bothwel *. They at the ſame time iſſued a proclamation for apprehending him as the murderer of the King, offering a reward of a thouſand crowns to the perſon who ſhould bring him to Edinburgh; and prohibiting the ſubjects of Scotland from ſupplying him with aid or ſupport of any kind †. As they knew that the keeper of the caſtle of Dunbar was his dependant, and that it required a military ſtrength to take him from this fortreſs, theſe precautions are to be conſidered as invitations to him to make his eſcape from juſtice. Accordingly he actually took them in this ſenſe; and being Lord High Admiral of Scotland, he put to ſea with ſome ſhips.

Several perſons are executed for the King's murder.

But as the puniſhment of the King's murder was a point which the earl of Morton and the aſſociated nobles held out with great parade to the people, it was abſolutely neceſſary to take ſome ſteps to diſcover its perpetrators. A ſearch, therefore, had been made for them through the

* Keith, p. 408. † Anderſon, Collections, vol. i. p. 139.

capital

capital the very night that the Queen was conveyed to Lochlevin. Sebaſtian, a Frenchman, and Captain Blackadder, were then apprehended; and ſoon after James Edmonſtone, John Blackadder, and Mynart Fraſer were taken up and impriſoned. The people expected full and ſatisfactory proofs of the guilt of Bothwel, and were diſappointed. The affirmation of the nobles, that they were poſſeſſed of evidence that could condemn him, appeared to be no better than a pretence or artifice. Sebaſtian made his way out of Scotland by connivance or addreſs. The other perſons were put to the torture, and ſuſtained it without making any confeſſion that the nobles could publiſh. They were condemned, notwithſtanding, and executed as being concerned in the murder. The gentleneſs which the earl of Morton found it prudent to ſhow to the earl of Bothwel, was fatal to them. In their dying moments they proteſted their innocence. A ſanguine hope was entertained that Captain Blackadder would reveal the whole bloody ſecret at the place of execution; and a prodigious multitude of ſpectators were preſent to gratify their curioſity in a matter ſo important. His laſt ſpeech, however, contained no deciſive information from which the regicides might be detected. But while he ſolemnly declared that his life was unjuſtly taken from him, he averred it as his belief that the earls of Murray and Morton were the contrivers of the King's murder *.

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The aſſociated nobles, known now by the appellation of Lords of the ſecret Council, after aſſuming the authority of government, found it neceſſary to continue their enormities. They appropriated to their purpoſes the furniture and

The nobles ſeize the Queen's plate and jewels.

The earl of Glencairn

* Keith, p. 406, 407. Crawfurd, Memoirs, p. 41.

Book III. decorations of the palace of Holyrood houſe. The Queen's cupboard, which amounted to ſixteen ſtone weight of ſilver, was converted by them into coin; and they poſſeſſed themſelves of her jewels, which were of high value. While theſe acts of depredation and violence were committed by the faction itſelf, the earl of Glencairn, from his private authority, and by the miniſtry of his own ſervants, demoliſhed the altar in the Queen's chapel, and defaced and deſtroyed all its pictures and ornaments *.

1567. commits ravages in her chapel.

The nation takes an alarm about its liberties.

A party forms itſelf in behalf of the Queen.

From the popularity which had flattered the nobles in the commencement of their career, they conceived that no formidable interruption could riſe up to oppoſe them. The exceſſive outrage of their conduct had, however, ſtruck an alarm into the nation. They had proceeded to extremities which could not be juſtified; and men perceived not where their violence was to terminate. The favour of the people abated; and the injurious treatment of the Queen called forth compaſſion and ſympathy. Even in their own party there were diſcontents and diſſatisfaction. The earl of Argyle, imitating the lord Boyd, had withdrawn from their councils. There were many in the order of the nobility who had never joined them. Theſe judged themſelves inſulted by their exerciſe of authority. It appeared that if no check was applied to them, the conſtitution and government would be utterly overturned. They had impriſoned the Queen without any regular accuſation of criminality, without calling her to a trial, and without conſulting the three Eſtates; and even in their behaviour to Bothwel, there were circumſtances that were highly ſuſpicious, and moſt unfavour-

* Spotſwood, p. 208.

able

able to them. The earls of Argyle, Huntley, Rothes, Crawfurd, Cathneſs, and Menteith, the lords Boyd, Fleming, Drummond, Cathcart, Herries, Yeſter, Livingſton, Seaton, Glammis, Ogilvie, Gray, Oliphant, Methven, and Somerville, with the archbiſhop of St. Andrews, and the commendators of Arbroath, Kilwinning, Dumferling, Newbottle, Holyrood houſe, and St. Colm, held meetings at Hamilton to deliberate upon the ſtate of their country; and to think of a remedy for its troubles and convulſions *. Book III. 1567.

A league ſo reſpectable from the rank of its members, and ſo formidable by their power, gave inquietude to the Lords of the ſecret Council. They ſent letters to them, inviting them to accede to a conference upon public affairs, and to eſtabliſh in concert the order and happineſs of the commonwealth. Their meſſenger, however, though he found the party of the Queen aſſembled at Hamilton individually, or by their leaders, was treated with diſreſpect, and their letters were returned unopened. The Lords of the ſecret Council were thus given to underſtand that the new faction were deſirous to repair the national calamities by their own influence and activity. The lords of the ſecret Council attempt a coalition with the Queen's friends.

The general aſſembly was at this time holding its meetings, and the celebrated George Buchanan, the partizan of the earl of Murray, was its moderator †. The Lords of the ſecret Council were diſpoſed to turn its influence to their advantage, and were able to prevail with John Knox, and the more eminent of the brethren, to interfere in their behalf. Upon the pretence of erecting a perfect polity of eccleſiaſtical go- They engage the church in their intereſts. 25th June.

* Keith, p. 407. Spotſwood, p. 208. † Keith, p. 572.

Book III. 1567. vernment, the church invited to Edinburgh all the members of the aſſociation for the Queen; and with a view to their aſſiſtance and attendance, the conventions of the general aſſembly were delayed for a ſhort period. The lords of the ſecret council hoped by this method to draw the friends of the Queen to the capital, to entice them into an approbation of their proceedings, or to compel them to ſubmiſſion. But the inſidious kindneſs of the clergy was not attended with the expected ſucceſs. The members of the new aſſociation excuſed themſelves from complying with their invitation, and even admoniſhed them to remember, that without the concurrence of the civil power, or the three Eſtates, it was dangerous and illegal to introduce any religious novelties or innovations *.

They apply for the ſupport of the citizens of Edinburgh. July. This freſh diſappointment confirmed the apprehenſions of the lords of the ſecret council, and inſpirited their zeal to uphold their conſequence. It was an infinite advantage to them to retain the command and poſſeſſion of the capital city of Scotland. They therefore applied themſelves to the magiſtrates of Edinburgh, and earneſtly ſolicited them to enter into their views, and to become a branch of their confederacy. The earls of Morton and Athol diſplayed to them the bond of concurrence which their party had ſubſcribed. It appeared to them to be a godly and honourable bond. They approved of its purpoſes, and ſhewed an anxiety to purſue and advance them. They enjoined Sir Simon Preſton, their provoſt, to put his name to it in teſtimony of their concurrence; and this injunction and the bond itſelf were ordered to be inſerted in the council regiſter, as a memorial to poſterity. In

* Knox, p. 488. Keith, p. 574, 575.

conformity

conformity to this treaty, the artillery of the town was examined and augmented; and the provoſt and magiſtrates preparing for hoſtilities, entered into an agreement of mutual defence and ſupport with Sir James Balfour, the governor of the caſtle, who had now declared himſelf deciſively for the earl of Morton and his aſſociates *. Book III. 1567.

The court of France, upon the firſt intelligence of the impriſonment of the Queen, diſpatched Monſieur de Villeroy to condole with her upon her misfortunes, and to conſult upon the moſt proper methods for her relief. This envoy accordingly deſired immediately upon his arrival to pay his honours to her; but the lords of the ſecret council refuſing him an order of admittance to her priſon, he returned inſtantly to his own country. Charles IX. and Catharine de Medicis were ſenſible of the high ſervices which the earl of Murray might perform to his ſovereign and ſiſter in the preſent emergency of her affairs. He was ſtill in France. Her ambaſſador, the archbiſhop of Glaſgow, informed them that he was related to Douglas, the keeper of the Fortalice of Lochlevin, and to the earl of Marre, and the lord Lindſay; and that his credit was very great with the rebel faction. Charles IX. urged him in the ſtrongeſt terms to employ his good offices to the advantage of the Queen; and he engaged to exert all his own power, and all the influence of his friends to deliver her from her misfortunes. The court of France truſted too implicitly to his promiſes; and Charles IX. at his laſt audience aſſured him that he would not ſuffer any rigour to be employed againſt her perſon; and that if her enemies ſhould prolong

The court of France interferes in the affairs of Scotland.

The earl of Murray engages himſelf to the king of France to aſſiſt the Queen.

* Keith, p. 409, 411.

her

Book III. her captivity, he would hazard his crown to do her juſtice *.

1567. Upon the part of the Queen of England there arrived Sir Nicholas Throgmorton, who had inſtructions both with regard to Mary herſelf, and to the lords of the ſecret council. It was not the purpoſe of Elizabeth to act with a deciſive ſpirit in the tranſactions of the Scottiſh nation. The misfortunes of Mary had not mitigated her jealouſies and hatreds. The march of an Engliſh army into Scotland was ſufficient for the deliverance of this unhappy princeſs. But her deliverance and the humiliation of her enemies were not the objects that touched the heart of her ſiſter Queen. At the ſame time, the ſelfiſh admiration with which Elizabeth regarded the condition of a ſovereign induced her to think with diſdain of the encroaching inſolence of the Scottiſh nobles. Her politics as uſual were prudent and crafty. Her pretences were plauſible and fair; but her reſolutions were to be governed by circumſtances and contingencies. While ſhe affected to melt with the miſeries of Mary, ſhe was fomenting in ſecret the diviſions of her kingdom; and amidſt the parade of her mediation and kindneſs, ſhe only ſought to gratify her pride, her ſuperiority, and the malignant ſeverity of her paſſions.

Queen Elizabeth takes a concern in her affairs.

Throgmorton was commanded to inform Mary, that though Elizabeth was ſtruck with her imprudent connexions with Bothwel, her heart was yet pierced with ſorrow for her calamities; and that ſhe was deſirous to reſtore her to liberty, and to repreſs the ambition of men whom nature and the law had made ſubſervient to her; that ſhe

* Letters to Mary from the archbiſhop of Glaſgow, ap. Goodal's MSS.

conſidered

conſidered herſelf as a party againſt the murderers of the late King who was her ſubject and kinſman; and that it appeared to her to be right and proper that the young prince ſhould be ſent to reſide in England, and to be educated there under the direction of his grandmother the counteſs of Lennox. He was enjoined alſo to engage the Queen of Scots, to open her mind to him, to detail her own tranſactions and thoſe of her nobles, and to expreſs to him without diſguiſe the nature of that aſſiſtance which ſhe expected from his court. While this ſtateſman was to act in theſe points with Mary herſelf, he was directed not to neglect the lords of the ſecret council. He was charged to expreſs in the name of Elizabeth, a warm approbation of their zeal to proſecute the murderers of the King, and of their anxiety for the welfare of their prince; and to aſſure them that upon theſe heads, ſhe would gladly admit of any reaſonable demand they ſhould prefer to her. But with regard to the impriſonment of their ſovereign, he was commanded to ſay, that it had excited her ſurprize in no common degree; and that ſhe could, by no means, perceive any right which belonged to them to adopt a meaſure that implied a juriſdiction ſo high and tranſcendent. As to the faults imputed to her ſiſter they had provoked her indignation, and ſhe meant not to palliate them. It was her determination, however, to maintain her in her princely eſtate; ſhe was willing to conform to ſome honourable device in order to terminate the diſtractions of her kingdom; and it was her counſel to them not to ſeek pertinaciouſly their private emolument in the ruin of their Queen and their country *.

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* Keith, p. 411. 414.

It

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It appeared not to the lords of the ſecret council, that the remonſtrances of Elizabeth were ſufficiently reſolute to ſtrike them with any terror. They refuſed, accordingly, to admit Throgmorton to Mary; and while they endeavoured to vindicate their conduct to him, they were induſtrious to blacken her reputation, and to impreſs him with the fancy that her love of Bothwel was incurable. They expected that the earl of Murray would ſoon be in England; and they were confident that they might leave Queen Elizabeth to his addreſs and management. They were not preſſed by the nobles in oppoſition to them; for this party ſeemed fonder of complaint than of action. They were convinced that their offences againſt the Queen were too great and enormous to be ever forgotten. They were terrified to accede to an accommodation even with the promiſe of a pardon or indemnity; and their ambition was impelling them to ſchemes which would not only operate the fulleſt ſecurity to their perſons, but continue them in the poſſeſſion of conſequence and authority.

Her ambaſſador is denied admittance to Mary.

The earl of Morton and his adherents continue their machinations.

Beſide her inſtructions to Throgmorton Elizabeth entruſted him with a plan for the final ſettlement of the affairs of Scotland. It bore too, the marks of her character, and with much appearance of ſagacity and candour, had a tendency to ſubvert the liberties of the Scottiſh nation. It propoſed that the Queen of Scots ſhould immediately be delivered from her priſon; that all the proofs of Bothwel's guilt ſhould be fully collected; that a divorce ſhould take place; that a commiſſion ſhould empower a certain number of the nobility to proceed againſt him and his accomplices; that a parliament ſhould be called; and that a general peace ſhould be proclaimed throughout

Elizabeth's plan for the ſettlement of Scotland.

throughout the kingdom. It adviſed that the caſtles of Dunbar and Dumbarton ſhould be committed to the cuſtody of ſuch nobles as Mary ſhould appoint, who were unſuſpected of any concern in the guilt of Bothwel, and who were ready to give pledges to the keepers of the prince, that neither this nobleman, nor any Frenchman or foreigner ſhould be entertained within theſe fortreſſes. It deſired that new offices of wardenſhip ſhould be conſtituted by Mary both in the marches and in great cities with the conſent of the parliament; and that all the principal officers of the ſtate, whether civil or eccleſiaſtical, ſhould be in her nomination with the approbation of the greater part of the privy council. It directed that upon the death of any member of the privy council, the Queen ſhould ſupply his place with the conſent of the other members; that there ſhould be a confirmation of the eſtabliſhment of the ſucceſſion to the crown; that the proteſtant religion ſhould be extended over the realm, with an exception only to the Queen and a few of her attendants; that a general indemnity ſhould be granted by parliament; that all Bothwel's eſtates ſhould be annexed to the royalty, and be employed in the education of the prince; that a certain number of the privy council ſhould attend upon ſtated and regular terms; and that no ſtranger ſhould be promoted to any office in the Queen's houſhold. It recommended the parliamentary eſtabliſhment of all theſe articles. It mentioned the confiſcation of goods and impriſonment as the puniſhment proper for the firſt infringement of any branch of them; and for the ſecond offence, it held out the penalties of treaſon. In fine, it enjoined, that the Queen of England ſhould be the maintainer or guarantee of the

Book III. 1567.

Book III. the intended parliament, and ſhould hold a ſtation between Mary and her people *.

1567. The plans of the Scottiſh ſtateſmen.

Theſe propoſals of Elizabeth were not received with any cordiality by the lords of the ſecret council; and Throgmorton found the people inflamed with a ſtrong reſentment againſt their ſovereign. The indefatigable activity of Morton and his adherents, and the melancholy and pertinacious eloquence of the clergy had covered her with an odium, that ſeemed to diſdain all enquiry into her conduct. The ſuppoſition of her guilt was ſo ſtrong with the multitude, that they thought the production of its evidence to be unneceſſary; and it was not the intereſt of her enemies to promote a parliamentary and diſpaſſionate examination of her proceedings. There were four ſchemes thought of for the re-eſtabliſhment of order by the Scottiſh courtiers and ſtateſmen; and even the mildeſt of theſe pointed forcibly to the humiliation of the Queen. The firſt and the moſt eligible ſcheme was to reſtore her to her liberty and royal eſtate; but to hold her under conditions in all matters that had a reference to the puniſhment of the murderers of the King, the preſervation of the prince, the divorce from Bothwel, and the eſtabliſhment of the proteſtant religion. This plan had ſome reſemblance to the propoſals of Elizabeth, and was ſupported by Throgmorton †. The ſecond ſcheme was to baniſh

* Keith, p. 416.

† It appears by one of Throgmorton's diſpatches, that he had found means by a letter to preſs Mary very much to ſuffer a divorce to paſs between her and Bothwel. The reaſon to juſtify the divorce was the incapacity of Bothwel to marry her from his previous marriage with lady Jane Gordon. To this Mary would not conſent by any means. "She "hath ſent me word, ſays Throgmorton, that ſhe will in no "ways conſent unto that, but rather die; grounding her-"ſelf

baniſh her to France or England, upon her re- Book III.
ſignation of the royal authority to her ſon, and upon her appointment of a council to direct him. This policy was favoured by the earl of Athol and his followers. The third ſcheme was to proſecute juſtice againſt the Queen, to condemn her for life to a priſon, and to crown the prince; a policy that was agreeable to a great part of the nation. The laſt ſcheme was to condemn the Queen by a public trial, to pronounce her worthy of death, and to lead her out to the ſcaffold. This method of proceeding was inculcated warmly by the clergy, who conſidered her as their determined enemy, and that the proteſtant religion would derive the greateſt advantage from her death *. 1567.

" ſelf upon this reaſon, taking herſelf to be ſeven weeks " gone *with child*; and that by renouncing Bothwel, ſhe " ſhould acknowledge herſelf to be with child of a baſtard, " and to have forfeited her honour." Robertſon's Appendix, p. 311. It is remarkable that Throgmorton was fonder of preſſing the divorce, than the proſecution of Bothwel for the murder; and that he acknowledges that the Queen objected not to the laſt meaſure. The ſtory of her being with child to Bothwel was improved very much in France. Le Laboureur, an excellent hiſtorian in many reſpects has this ſtrange paſſage. Speaking of Mary he obſerves, " Elle eut " du comte de Bothwel ſon troiſiéme Mary une fille, qui " fut religieuſe à N. Dame de Soiſſons." Addit. aux Mem. de Caſtelnau, p. 610.

* Throgmorton's diſpatches, ap. Keith, p. 420, 421. " Mr. Knox, ſays Throgmorton in a diſpatch to Elizabeth " about this time, dothe in his ſermons daylye praye for the " contynuacyon of amytie betwixte Englaunde and Scot- " lande; and dothe lykewyſe admonyſhe hys audyterye to " eſchewe theyre oulde allyance with France, as they woulde " flye from the pottes of Egypte, which brought them " nothinge but fugred poyſon: Notwithſtanding he dothe " continew hys ſeveare exhortacyons as well againſt the " Quene as againſt Bothwel; thretnynge the greate plage " of God to thys wholle countrey and natyon, yf ſhe be " ſpared from her condigne ponyſhement." Keith, Introd. p. xii.

While

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The clergy inflame the national diſcontents.

While theſe ſchemes were agitating the minds of men, and while, in the event of rigorous meaſures againſt the Queen, the duke of Chatellerault, and the earl of Lennox were turning their eyes towards the guardianſhip of the young prince, the earl of Morton and his adherents were proſecuting their purpoſes with unremitting zeal and vigour. The day appointed for that convention of the church to which the clergy at their deſire had in vain invited the nobles of the Queen's faction, being arrived, it was proper for them to take the charge of directing its reſolutions. To the clergy they were laviſh of their promiſes, and they expected their aid in return. Politics were mingled with religion. The determinations of this eccleſiaſtical convention were ſo contrived as to augment their popularity, to foſter the hatred of the Queen, and to prepare the people for the appearance of the earl of Murray, who was now expected by his faction with the utmoſt impatience. It was reſolved by the clergy and the laity conſtituting this aſſembly, that the acts of the three Eſtates which immediately before the arrival of the Queen from France eſtabliſhed the reformation, and aboliſhed popery ſhould receive the fulleſt parliamentary ratification, and be held and pronounced univerſally and without exception over the kingdom as ordinations of public law; that the ſtipends of the miniſters ſhould be regularly paid in conformity to the acts in their favour; that in the firſt lawful parliament which was to be convened, the patrimony of the church ſhould be reſtored to it; that no charge over ſchools, colleges, or univerſities ſhould be granted without the approbation of the miniſtry; that all crimes, vices, and offences againſt the law of God ſhould be puniſhed with ſeverity; that ſtatutes ſhould be made

20 July.

and

and judges appointed in caſes where there were yet no proviſions to carry this injunction to its fulleſt extent; that the noblemen and gentlemen who were members of this preſent court ſhould concur and aſſiſt in puniſhing with all their ſtrength and power the horrible murder of the King, upon all perſons whatſoever who ſhould be found guilty of it; that they ſhould maintain and defend the prince againſt all who would injure and oppreſs him; that every King, in the future, ſhould upon his coronation take an oath to ſupport and ſet forward the proteſtant religion; that the prince ſhould be committed to the tuition of ſome wiſe and godly man, in order that, when of age, he might be able to diſcharge with honour the duties of his ſtation; and that idolatry and the blaſphemous maſs ſhould be rooted out and finally deſtroyed by force of arms *. BOOK III. 1567.

In the midſt of political and religious ferments the earl of Morton and his faction prepared to effectuate the point which they had meditated ſo long, and to which they had advanced at the expence of ſo much treachery, and ſo many crimes. Their project, by this time, was fully digeſted; and the nation was ready to ſubmit to it. The lord Lindſay whoſe imperiouſneſs approached to inſanity, was ordered by them to wait upon the Queen at Lochlevin. He carried with him three deeds or inſtruments; and was inſtructed not to be ſparing of rudeneſs and menaces in order to compel her to ſubſcribe them. By the firſt ſhe was made to reſign her kingdom to her ſon; by the ſecond ſhe appointed the earl of Murray to Mary is compelled to reſign her crown. 24 July.

* Spotſwood. p. 210. Keith, p. 581, 582. The earls of Morton, Glencairn, and Marre, the lords Hume, Ruthven, and Lindſay took the lead in ſubſcribing theſe reſolutions. Keith, p. 583. Knox, p. 449.

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the regency; and by the third ſhe conſtituted a council to direct the prince till this nobleman ſhould arrive in Scotland, and in the event of his death, or refuſal to accept the office. Upon the part of the Queen all reſiſtance was vain. Sir Robert Melvil adviſed her that the trueſt of her friends were of opinion that what ſhe did under compulſion and in a priſon could have no power to bind her. Throgmorton, by a letter which Melvil carried to her in the ſcabbard of his ſword, gave her the ſame intimation, and aſſured her that he would avow to his miſtreſs that neceſſity and unjuſt fear, and not her choice, were the motives which governed her in giving away her crown. The lord Lindſay preſented the papers, and preſſed her ſubſcription of them with the unfeeling barbarity which characteriſed him. She refuſed, however, to read theſe hated deeds; and put her name to them in a convulſive agony of rage and ſorrow *.

The earl of Morton and his party ſubſcribe the ſecond bond of concurrence.

The lord Lindſay haſtened to his friends to make known the ſucceſs of his commiſſion. The nobles of the ſecret council aſſembled themſelves. He read to them the inſtrument by which the Queen reſigned the ſovereign authority to her ſon. They approved her purpoſe, and affecting to repreſent the nation, conſented to it. As a teſtimony of their ſentiments they alſo entered into and ſubſcribed a new obligation, termed the ſecond bond of concurrence. In this inſtrument it was affirmed, that the Queen was earneſtly deſirous to fix the young prince upon the throne of his anceſtors in her own life time; that ſhe was fatigued and diſguſted with the pains and the

* Anderſon, Collections, vol. iii. p. 18, 19. Melvil, Memoirs, p. 170. Crawfurd, Memoirs, p. 39. Keith, p. 430, 431, 432.

cares

cares of government; that ſhe freely renounced to him the royal crown; and that ſhe granted a full permiſſion to her ſubjects to put it on his head, and to obey him as their native King. Under the affectation of theſe reaſons, they obliged themſelves to aſſemble at Stirling to eſtabliſh the prince in the adminiſtration of his realm, to aſſiſt in the ceremony of his coronation, to take the oath of fidelity and homage to him, and in the event of reſiſtance to put themſelves in arms to advance his intereſts, and to perform to him every duty which a lawful ſovereign could expect from faithful, and chriſtian ſubjects *. Book III. 1567.

In this extremity of their affairs, the earl of Morton and his party reſolved to proceed immediately to the coronation of the infant King. A day, accordingly was appointed for it. But as the nobles of the Queen's party were at this time holding meetings at Hamilton, it was thought prudent to diſpatch Sir James Melvil to inform them, that in compliance with the deſire of the Queen, they meant to crown the prince, and that they requeſted their concurrence in this meaſure. It was with infinite ſurprize that the nobles at Hamilton received this invitation to the coronation of the prince. Many of them heſitated to believe that the Queen had made any reſignation of the government; and thoſe of them who gave credit to Melvil, ſuſpected that menaces and the fear of death had extorted her conſent to this humiliating expedient. They were therefore about to reply with ſome warmth to the meſſage brought to them, when the archbiſhop of St. Andrews interpoſing with his remonſtrances, contrived to ſoften their indigna- They ſend a meſſage to the lords for the Queen.

* Anderſon, Collections, vol. ii. p. 231. 240.

Book III. 1567. tion. After conferring with them privately, this prelate told Melvil, that they conſidered themſelves as obliged to the lords of the ſecret council for their friendly commiſſion; that they were ready to concur with them if a full and ſufficient aſſurance ſhould be given of the truth of what he had ſaid; that if the noblemen who had ſent him had acquainted them with their firſt enterprize of puniſhing the murder, they would have joined in it with the greateſt chearfulneſs; that they had met and deliberated from motives of patriotiſm, as well as of ſecurity; and that a precaution of this kind appeared neceſſary when tranſactions were going on in which they were not conſulted, and when large bodies of men had been gathered together from different quarters. When Melvil communicated this anſwer to the lords of the ſecret council, it was accounted ſatisfactory by a few of them; but the majority treated it as artificial and evaſive. They were determined upon violent councils; and by puſhing their enemies to deeds of outrage and war, they had the proſpect not only of compaſſing their humiliation, but of growing rich by forfeitures and confiſcations *.

The Queen's lords enter into a bond of defence. The nobles of the Queen's faction, diſappointed and angry with the ſupercilious behaviour of the lords of the ſecret council, retired to Dunbarton; and there formally ſubſcribed a bond of aſſociation. This bond, after ſtating the oppreſſive impriſonment of the Queen, bound them as they ſhould anſwer to God, and by their honour, to exert their fulleſt ſtrength and power to procure her deliverance, the reeſtabliſhment of the government, the puniſh-

* Melvil, Memoirs, p. 171.

ment

ment of the King's murder, and the preſervation of the prince *. Book III.

1567. The coronation of James VI.

Upon the day appointed for the coronation, the lords of the ſecret council and their friends aſſembled at Stirling, and conſidered themſelves as repreſenting the three Eſtates of the kingdom †. A proteſtation was made in the name of the duke of Chatellerault that this ſolemnity ſhould neither invalidate nor prejudge his rights of ſucceſſion, nor thoſe of the other perſons of the royal blood. The young prince was preſented to them. The lords Lindſay and Ruthven appeared, and in the name of the Queen renounced in his favour, her right and title to 29 July.

* Keith, p. 436.

† "James erle of Mortoun, lord Dalkeyth; John erle of Atholl, lord of Balyany; Alexander earl of Glencairne, lord of Kilmawris; Johne erle of Mar, lord Erſkine; William erle of Menteith, Johne maiſter of Grahame, Alexander lord Hume, Patrick lord Lindſay of the Byris, Williame lord Ruthven, Edward lord Creichtoun of Sanquhair, Robert lord Sempill, Johne lord Innermeyth, Andro lord Uchiltrie, James lord Sanct Johnes of Trophechin, Adame biſcope of Orknay, Robert commendature of Dumfermline, James commendature of St. Colmes Inche, Adame commendature of Cambuſkynneth, Johne commendature of Dryburgh and Inchmahome, Alexander commendature of Culroſs, Robert miniſter of Failfurd, Mr. Robert Richartſoun commendature of Sanct Marie Iſle, Theſaurare, Sir William Murray of Tullibardin knycht, comptrollar, Williame Maitland of Lethingtoun zoungar, ſecretare, Sir Johne Bellenden of Auchknowle knycht, clerk of juſticiarie, maiſter Johne Preſtoun and Nicholl Udart commiſſionaris of the burgh of Edinburgh, Johne Erſkine of Dun proveſt of Montrois, maiſter James Halyburtoun proveſt of Dundie, Johne Stewart of Mynto knycht proveſt of Glaſgow, Johne Craigingalt of that ilk proveſt of Striviling, Charles Drummond proveſt of Linlithgow; the commiſſionaris alſwa of Air, Irving, and diverſe utheris of the nobilitie, ſpiritualitie, commiſſionaris of Burrowis and Baronnis." Record. ap. Keith, p. 437.

Book III. 1567. the government, gave up the papers ſhe had ſubſcribed, and ſurrendered the ſword, the ſceptre, and the royal crown. The papers were read. The earls of Morton, Athol, Glencairn, Marre, and Menteith, with the maſter of Graham, the lord Hume, and Bothwel biſhop of Orkney received the Queen's reſignation to the advantage of her ſon in the name of the three Eſtates. After this formality, the earl of Morton, bending his body, and laying his hand upon the ſcriptures, took the coronation oath for the prince, engaging him to rule according to the laws, and to root out all heretics and enemies to the true worſhip of God. Adam Bothwel, biſhop of Orkney, then anointed the prince as King of Scotland; a ceremony that offended Knox and the brethren, who conſidered it as a Jewiſh invention. This prelate next delivered to him the ſword and ſceptre, and finally put the royal crown upon his head. In the proceſſion to the caſtle from the church where the unction was performed, and where Knox preached the inauguration diſcourſe, the earl of Athol carried the crown, the earl of Morton the ſceptre, the earl of Glencairn the ſword, and the earl of Marre bore in his arms the important charge of the royal babe. Theſe farcical ſolemnities received no countenance from Elizabeth; and Throgmorton by her expreſs command, avoided to give them the ſanction of his preſence *.

The

* Anderſon, Collections, vol. ii. p. 243. 248. Keith, p. 430. 439. Knox, p. 460. Crawfurd, Memoirs, p. 39. This violent revolution required no common degree of art to defend it; and all the eloquence and penetration of George Buchanan were exerted to give it the ſemblance of juſtice. It was, at the deſire of the earl of Murray, that he compoſed at this juncture his admirable dialogue concerning the government of Scotland. Camden, p. 405. Calderwood,

1567.

The earl of Morton and his faction were now in poſſeſſion of all the powers of government; and immediately upon the coronation of the prince they iſſued two proclamations. The one announced to the people the acceſſion of the King to the crown and the government. The other, after informing them that a commiſſion of lieutenancy to ſupport the intereſts of the Queen had been granted to the earl of Huntley, in conſequence of which he was calling to arms the northern diſtricts of the kingdom, and foſtering uproar and ſedition, took the liberty to annul its privileges by the royal authority, and to prohibit all obedience to it under the pain of treaſon. Nor did they neglect to adopt deciſive and ſtrong meaſures againſt their antient friend the earl of Bothwel. Sir William Murray of Tullibardin, and Sir William Kircaldy of Grange, were com-

The earl of Morton and his faction proclaim the King's authority, prohibit the lieutenancy of the earl of Huntley, and grant commiſſions to apprehend and puniſh Bothwel.

11 Auguſt.

wood, ap. Goodal, vol. i. p. 129. He maintains in it the cauſe of civil liberty, and the power of the people to reſiſt the tyranny of the prince. But while his general principles are indiſputably right, they are confeſſedly of a very nice application; and to the Queen of Scots they refer not with the ſlighteſt meaſure of propriety. His zeal for the intereſts of mankind is worthy of the higheſt praiſe; yet in many places it is too eccentric and fierce, and too little under the controul of knowledge and ability. Unſkilled in the rules of the feudal juriſprudence, and unacquainted with the principles of the Gothic or mixed form of government, he applies as deſcriptive of the conſtitution of his country, the maxims of an ancient republic. His work, of conſequence, in proportion as it attracted the remark and admiration of his compatriots, ſerved to infuſe into them a ſpirit of ſedition and turbulence, which, though it ſuited the views of the party to which he had addicted himſelf, became not the temper and equality which ought to reign in a political ſyſtem, where the component parts are ſo conſtructed as to offer a check to reſtrain one another within determined bounds, and to preſerve a due poiſe between the extremes of liberty and domination. See Obſervations concerning the Public Law, and the Conſtitutional Hiſtory of Scotland, in Appendix I.

Book III. 1567. miſſioned, to purſue him by ſea and land, with fire and the ſword. Every neceſſary aid and ſupport was afforded to theſe officers in this buſineſs; and if Bothwel ſhould be taken alive, they had power to hold courts, and to proceed to his condemnation and puniſhment *.

The arrival of the earl of Murray in Scotland.

It was now full time for the earl of Murray to make his appearance. His correſpondence with Morton and his party had been anxious and regular. Secretary Cecil had conveyed their more important diſpatches to him; and the court of England ſupplied him with treaſure at this juncture †. His departure from France was moſt opportune; for ſuſpicions of his inſincerity with regard to Mary had begun to circulate, and to give an alarm to her friends in that kingdom ‡. When he arrived in London he forgot not to have an interview with Elizabeth; and the humiliation of the Queen of Scots, and his own ſupport in the Regency, were the principal topics of their diſcourſe and deliberation. The nobles of the ſecret council, or the King's lords as they were now termed, diſpatched Sir James Melvil to meet him at Berwick, with their congratulations, and to explain to him the affairs of the kingdom. To Sir James Melvil he diſcovered thoſe appearances of patriotiſm and virtue which he knew ſo well how to aſſume. He affected the greateſt moderation in his way of thinking, ſpoke of the Queen with mildneſs and candour, and not only heſitated to accept of the Regency, but ſeemed to be altogether averſe from this honour §. This ſhow of magnanimity

* Anderſon, vol. i. p. 145. Keith, p. 442. † Cabala, p. 139, 140. ‡ Keith, Introd. p. ix.

§ Secretary Cecil, who was more in the ſecret than Melvil, writes thus about this time to Sir Henry Norris, Elizabeth's ambaſſador

namity and juſtice which pleaſed Melvil was a conſequence of his addreſs. For, though he could not doubt of the power of his faction after their overthrow of the Queen, he yet wiſhed to obſerve the condition of Scotland with his own eyes; and induſtriouſly repreſſed thoſe emotions of joy which he muſt have felt on his near approach to that greatneſs to which he had lifted his ambition even in his early youth, and to which he had been advancing himſelf with the boldeſt, the moſt artful, and the moſt criminal policy *. Book III. 1567.

The preſence of the earl of Murray gave firmneſs and vigour to his faction; and the nobles for the Queen being without a leader of abilities were unſteady and deſponding. He made his court to all of them by ſending them very flattering letters †, and was able to increaſe the feebleneſs of their combination. He felt the greatneſs of his ſtrength, and was proud of it. But before he accepted the Regency, he was inclined to be invited to it by the Queen herſelf; and while he wiſhed for this favour, he was reſolved at the ſame time to lay the foundations of an irreconcileable rupture between them. By her invitation to this dignity he would ſmooth his way to preferment, and conciliate popularity. By provoking her enmity he would ſecure a plauſible pretence for the cruelties and oppreſſions with which he was yet to afflict her. He had raiſed himſelf to eminence by great crimes; and he was determined to keep poſſeſſion of it at the

He pays a viſit to the Queen at Lochlevin.

ambaſſador at Paris. "I think my lord of Murray will "take the Regency; and will ſo band himſelf with the reſt, "as he will be out of peril at home." Cabala, p. 140.

* Melvil, Memoirs, p. 173. Crawfurd, Memoirs, p. 40.

† Spotſwood, p. 211.

price

Book III. 1567. price of every virtue. With a ſmiling countenance, and a wicked heart, he repaired to the fortalice of Lochlevin. The Queen, unſuſpicious of the deepneſs of his arts, conſcious of the gratitude he owed to her, and truſting to his natural affection, and their tie of a common father, received him with a tender welcome. She was in haſte to pour forth her ſoul to him; and with tears and lamentations related her condition, and her ſufferings. He heard her with attention; and turned occaſionally his diſcourſe to the topics which might lead her to open to him her mind without diſguiſe in thoſe ſituations in which he was moſt anxious to obſerve it. His eye and his penetration were fully employed; and her diſtreſs awakened not his tenderneſs. He ſeemed to be in ſuſpence; and from the guardedneſs of his converſation ſhe could gather neither hope nor fear. She begged him to be free with her, as he was her only friend. He yielded to her entreaties as if with pain and reluctance; and taking a comprehenſive ſurvey of her conduct, deſcribed it with all the ſeverity that could affect her moſt. He could diſcover no apology for her miſgovernment and diſorders; and, with a mortifying plainneſs, he preſſed upon her conſcience and her honour. At times ſhe wept bitterly. Some errors ſhe confeſſed; and againſt calumnies ſhe warmly vindicated herſelf. But all ſhe could urge in her behalf made no impreſſion upon him; and he ſpoke to her of the mercy of God as her chief refuge. She was torn with apprehenſions, and nearly diſtracted with deſpair. He dropped ſome words of conſolation; and after expreſſing an attachment to her intereſts, gave her his promiſe to employ all his conſequence to ſecure her life. As to her liberty,

liberty, he told her, that to atchieve it was beyond all his efforts; and that it was not good for her to desire it. Starting from her seat, she took him in her arms, and kissing him as her deliverer from the scaffold, solicited his immediate acceptance of the Regency. He declared he had many reasons to refuse the Regency. She implored and conjured him not to abandon her in the extremity of her wretchedness. There was no other method, she said, by which she herself could be saved, her son protected, and her realm rightly governed. He gave way to her anxiety and solicitations. She besought him to make the most unbounded use of her name and authority, desired him to keep for her the jewels that yet remained with her, and recommended it to him to get an early possession of all the forts of her kingdom. He now took his leave of her; and embracing anew this pious traitor, she sent her blessing with him to the prince her son *.

He is admitted to the Regency.

It was not merely by his own faction and the clamours of the people that the earl of Murray was pressed to accept the Regency. By this time many of the nobles of the opposite party had entered into his views. The earls of Rothes and Crawfurd, the lords Boyd, Levingston, Drummond, Ogilvie, Oliphant, Somervile, Borthwick, and Yester had made their advances to him. He had even procured the invitation of the Queen herself to this distinction. His friends announced his readiness to enter upon his high office; and when Throgmorton applied to him to know his determination, he assured this statesman that he entirely approved of the transactions of the earl of Morton and the lords of the secret council dur-

* Throgmorton's Dispatches, ap. Keith, p. 445, 446.

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Book III. ing his abſence; that he meant to take a part with them in the affairs of his country; that upon their repreſentations and the entreaties of the Queen, he was diſpoſed to accept the Regency; and that it was his reſolution to reduce the realm to obedience in the name of the King, or to periſh in the attempt *. A convention of the privy council was called. He was admitted to his important charge, took the oath of a faithful adminiſtration of it, and proclamations over Scotland commanded the people to obey him under the penalty of being puniſhed as the enemies of the King, and the nation †.

1567.

12 Auguſt.

This conſummate politician had now attained his higheſt wiſhes; and the train of events through which he proceeded to them is moſt remarkable, and moſt flagitious. His fortune and his talents are alike the objects of admiration; but the principles which governed him were uniformly deteſtable. His cruelties to the Queen were moſt ſtudied, and moſt inſulting; and hitherto this amiable princeſs had been almoſt conſtantly deluded by a man, who from his firſt entrance into life never once loſt ſight of the bright object ‡ which filled his heart with ambition and hope; who had the art to make his friends promote his intereſt by perſuading them that they were acting for their own; who diſarming his enemies by ſubmiſſion, and foſtering his reſentment under ſmiles, could take the benefit of their agency, and watch his moment of revenge; who covering himſelf with the mantle of religion drew to him the veneration of the multitude; who wrapping up his views in impenetrable myſtery

* Keith, p. 449. † Anderſon, Collections, vol. ii. p. 251. 254. ‡ See the Hiſtory of the Reformation of Religion in Scotland, p. 127. 138.

could

could assume every motive that suited every emergence; who waiting with phlegm the success of his measures could allow them their fullest and secureſt operation; and who immoveably firm could put in motion every engine of a profound and crafty wit unscared by scruples, and unterrified with dangers.

BOOK

THE

HISTORY

OF

SCOTLAND.

BOOK IV.

CHAPTER I.

THE Regent was induſtrious to ſecure himſelf in the poſſeſſion of power. By the firſt act of his adminiſtration which he performed with a ſtudied parade, he ſeemed deſirous to indicate to the Queen, that ſhe was never more to expect to ſway the Scottiſh ſceptre. All the public and official ſeals which bore her name and titles were ſurrendered to his order by their keepers and deſtroyed *. It was his next care to procure the command of all the ſtrong places in the kingdom. By large bribes he ſeduced Sir James Balfour to give up to him the caſtle of Edinburgh †. He compelled the captain of Dunbar

The earl of Murray fortifies himſelf in authority.

* Keith, Append. p. 151. † The conditions, it is ſaid, were 1. A remiſſion for art and part of the King's murder. 2. The gift of the priory of Pittenweem. 3. A penſion of victual to his eldeſt ſon out of the priory of St. Andrews

bar caſtle to ſurrender it to him, by the preparations he made to carry it by ſtorm. The caſtle of Falkland, the Baſs, and other fortalices were delivered to his command without oppoſition. In the borough of Haddington, in the town of Dumfries, and upon the borders a ſhew of reſiſtance was made to his government; but no ſerious hoſtilities were commenced, and no blood was ſpilt. The nobles for the Queen were diſunited, and ſuſpicious of one another. They commiſerated her ſufferings, but knew that the ſword of the ſtate was weilded by a vigorous arm. The national ferments were ſubſiding into tranquillity. Now that a revolution in the government was actually accompliſhed, men thought of it with aſtoniſhment and terror; and their minds were preparing for the calm of deſpotiſm. The Regent had dethroned his ſovereign; and a few companies of regular or ſtanding troops were alone wanting to enable him to trample on the liberties of his country, and to be a tyrant.

The misfortunes of Bothwel.

While the Regent was ſo much flattered with proſperity, the earl of Bothwel was ſtruggling with difficulties. Sir William Murray and Kircaldy of Grange had put to ſea in ſearch of him. He was reduced to the neceſſity of exerciſing piracy in order to ſubſiſt himſelf and his followers. They were directed to ſeek for him in the Orkney iſles; and it is probable that they were inſtruct-

drews to remain with him heritably. 4. The ſum of five thouſand pounds to himſelf. Crawfurd, p. 43. See alſo Archbiſhop Spotſwood, Hiſt. p. 213. He was admitted commendator of the priory of Pittenweem this year upon the 12th day of Septemper. It was upon the 5th day of the ſame month, according to Calderwood, that he ſurrendered the caſtle. In the end of this year the Regent advanced him to be preſident of the court of ſeſſion. This corrupt man is the author of a work of ſome value, entitled, "Practicks, "or a Syſtem of the more antient Law of Scotland."

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Book IV. ed to effect his death, and not to bring him alive to Scotland*. They came upon him unexpectedly, and he was unable to encounter them. Three of his ships were taken; but he himself made his escape. Soon after having seized a Turkish trader upon the coast of Norway, two ships of war belonging to the King of Denmark gave him chace as a pirate. An engagement ensued in which he had not the good fortune to perish. His officers and mariners were hanged in Denmark as the common enemies of mankind; but he himself being discovered by some Scottish merchants was not led forth to that ignominious punishment. He was thrown, however, into a dungeon, where he lived nearly ten years, and where falling into melancholy and distraction, he atoned by an extreme misery for the enormous profligacy of his former life †. The Regent sent commissioners to the King of Denmark to demand him as a prisoner; but that prince disregarded altogether his message and request, and considered him as the usurper of the rights of his sovereign ‡.

1567.

The situation of the Queen and of the faction in opposition to her.

But while the Regent and his friends had anxieties upon account of the earl of Bothwel, they were still more alarmed with apprehensions on

* Crawfurd in his Memoirs has the following passage. "If Grange had taken him at Orkney, it is more than probable (lest he had betrayed his accomplices) that he had "been sacrificed upon the spot." p. 46. Sir William Murray, and Kircaldy of Grange had a particular commission against him which enabled them "to fence and hold courts "of justice whereſoever they should think good." Keith, p. 442. The obvious meaning of this commission was to destroy him by a trial, if he should not perish in battle. It is not remarkable that this commssion is omitted by Anderson in his Collections; for that partial compiler was industrious to suppress many papers that were favourable to Mary.

† Spotswood, p. 213. Melvil, Memoirs, p. 196. ‡ Keith, p. 459.

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the part of the Queen. That Bothwel might be induced to reveal the whole bloody ſecret, and to open up the ſcenes they had acted with him was a terror that was diſtant when compared with the dangers that might aſſail them, if the Queen ſhould recover her liberty and grandeur. Their inſults and cruelties had been ſo vile and criminal, that, in this caſe they could not poſſibly expect any mercy or pardon. Her condemnation or death, therefore, could alone operate a full ſecurity to them *. In a priſon ſhe would be a ſource to them of conſtant diſquiet. Her misfortunes would awaken the compaſſion of her ſubjects; her friends would continually uphold her hope of a deliverance; foreign ſtates might be drawn to act deciſively in her favour; and a naked ſword would be perpetually ſuſpended over their heads, reminding them of their crimes, and threatening to revenge her wrongs. They were fully aware of their hazardous ſituation; and it appeared to their matureſt deliberation, that by the ample eſtabliſhment of her guilt, they could effectuate with the greateſt ſecurity to themſelves her complete overthrow and deſtruction. They had already ſucceeded in detracting from her reputation, and in throwing a ſtain upon her ho-

Book IV. 1567.

* "Thys is alſo to be feared, that when theys lordes have "ſo far proceded as to touche theyre ſoveraynge in honor "and credyt, theye wyll never thynke to fynd any ſalfteye "as long as ſhe *lyvethe*; and ſo not onelye depryve her of "her eſtate, but alſo of her *lyffe*.

"When I had peruſed thys wrytinge [their apology for "themſelves. See Keith, p. 417.] delyvered by the lard "of Lyddyngton, I aſked hym, howe far theys wordes, *ne-"ceſſitie of theyre cauſe*, in the end of the ſame dyd extend; "and howe far they might be led? He made me non other "aunſwer, but ſhakynge hys heade ſayde, *vous eſtes ung Re-"nard.*" Letter 21 July 1567. Throgmorton to Queen Elizabeth, Keith, Introd. p. xii.

Book IV. 1567.

nour; and the letter which they had produced as intercepted from her to Bothwel, and with which they had impoſed upon Kircaldy of Grange, encouraged them to adopt the only means in their power by which they could multiply at pleaſure the proofs of her indiſcretion. They had uniformly affirmed with confidence that her love of Bothwel was incurable, and that it threatened the prince and the nation with ruin. It was upon this foundation, that they reſted the defence of their proceedings *. They knew therefore that it was incumbent upon them to produce the vouchers of her paſſion. The infamy of ſuch a project did not deter them from its execution. They had been even accuſtomed to actions that were more atrocious. It was an expedient neceſſary to them; and they hoped, by their management and reſolution, to render it ſucceſsful in the greateſt degree.

The earl of Murray and his faction think of producing letters from Mary to Bothwel.

They had allured to them a partizan who was admirably qualified for entering into their purpoſes, and for advancing them. This was George Buchanan, a man of a high genius, and who was well acquainted with the world. He had this very year acted as a moderator of an aſſembly of the church, and had written a treatiſe in vindication of the depoſition of the Queen. He was poor, had propenſities to pleaſure, and was ambitious. The bounty and the power of the Regent could lead him to the ſummit of his wiſhes. He became attached to him with more vehemence than conſiſted with the integrity of his character. When put in motion by his patron he ſcrupled not to forget all the duties which he owed to his ſovereign, and all the reſpect which he ought to have paid to himſelf. It was

* Keith, 417. 420.

by

by his aid that thoſe letters were framed which the Regent and his cabal were to impute to Mary, and by the operation of which they thought finally to accompliſh her ruin. It was to them that they were to point as the deciſive vouchers of her guilt. Book IV. 1567.

A remarkable act of Murray's ſecret council.

While it was, therefore, their object to procure an effectual vindication of their own conduct and proceedings, it was not leſs anxiouſly their deſire to criminate their ſovereign. For theſe purpoſes they held deliberations, of which the minute or memorial has fortunately deſcended to poſterity. The Regent, the earl of Morton, Maitland of Lethington, with the lords of the ſecret council and other perſons of the cabal, after mature conſideration determined and agreed in declaring, that all the tranſactions in which they had been engaged from the time of the murder of the King were highly proper and meritorious; and that the righteouſneſs of their quarrel, the ſecurity of their perſons and eſtates, and the protection of their poſterity, ought to be provided for and amply eſtabliſhed by the three Eſtates aſſembled in parliament. They declared it likewiſe to be their firm opinion, that the Queen herſelf was the real cauſe and impelling ſpring of all the miſchiefs which had ſo completely diſordered the realm; ſince it was moſt certain "by her letters to Bothwel and "their private marriage, that ſhe was art "and part and of the actual deviſe and deed of "the murder of her huſband; and that ſhe fully "deſerved the treatment ſhe had already met "with, and the reſentment which might yet be "ſhewn to her *." 4 December.

* Haynes, p. 453.

Book IV. 1567. As they had employed the ſtrongeſt terms in expreſſing the love of Mary to Bothwel, it was neceſſary to throw into the letters the moſt open and explicit language. The ſtrain of them, accordingly, and their expreſſion are of this kind. They breathe a paſſion that is groſs and inordinate; they expreſs the wantonneſs of a mind practiſed in vice, and loſt to virtue; and they indicate a conſent to the murder of the King*. They give with exactneſs that picture of the Queen which the Regent and the cabal wiſhed to paſs for her likeneſs. To the tenor of her life, and to the teſtimony of undoubted monuments of hiſtory they are in the moſt direct contradiction. To their paſt tranſactions they have an obvious reference; and they correſpond with the purpoſes which it moſt concerned them to adopt, and for which they were to be active and ſtrenuous. Their friendſhip for Bothwel, his murder of the King, his eagerneſs for a trial, their protection of him, his acquittal, their bond inculcating his innocence, and preſſing the Queen to take him for her huſband, her conveyance to Dunbar, her ſeduction, her marriage, their rupture with him, their permiſſion of his flight, their accuſations of him in his abſence, their attempt to involve her in his wickedneſs, their rebellion, the indignities with which they treated her, her impriſonment, her forced reſignation of the crown, the elevation of Murray to be Regent, and in fine the project of the letters as the apology of their own proceedings, and the evidence of her guilt; theſe tranſactions ſo particular, ſo united, and ſo concurring are all the parts of a ſyſtem which carries in its boſom the full conviction of their deep deceit, their unprincipled pro-

*. Anderſon, Collections, vol. ii. p. 129. 155.

fligacy,

fligacy, and their intrepid and ſanguinary ambition. They were now to atchieve the laſt act of their drama; and by the death, or utter humiliation of the Queen to ſecure their future tranquillity, and to enjoy at eaſe the luxurious pride of proſperity and greatneſs.

The Regent aſſembles a parliament. 15 December.

Unmoleſted by the ſubjects of Scotland, and diſturbed neither by the arms, nor the negociations of England or France, the Regent prepared to aſſemble the three Eſtates. A full convention of parliament might be expected at a juncture ſo momentous. His adherents were anxious to come forward to make a parade of their zeal. The friends of the reformation conſidered that they could advance moſt effectually its intereſts by attaching themſelves to him; and the boroughs could be bought and managed. The Queen's party yielded to a power which they could not reſiſt. The duke of Chatellerault at this time in France had deputed a perſon to proteſt in his name that no attempts ſhould be made to divert the title and ſucceſſion to the crown from thoſe to whom they legally appertained; but this proxy was prohibited from making his appearance in the parliament*. The Regent was ſuperior to all oppoſition; and the three Eſtates ſubmiſſive and obedient gave their ſanction to the meaſures the moſt agreeable to him. The friends of the Queen proteſted in vain, that

It confirms the reſignation of the Queen, and the regency of the earl of Murray; and it eſtabliſhes the reformation.

* This proxy made a report of his commiſſion in which he complained of the overbearing deportment of the Regent who refuſed his admittance to the parliament with contempt and rudeneſs. "Giff the Duk, ſaid the Regent, will not "cum heir and join himſelf with us, let him luk for no-"thing heir: and giff he propones [as we underſtand] our "deſtruction and to cut our throwts, ye ſal be aſſurit, that "we ſal find remeid, and cut his and all theirs that wald ſo "do, rather or ours ſuld be cuttit." Extract from this Report, ap. Goodal's MSS.

Book IV. 1567. no proceedings ought to take place againſt her while ſhe was detained in captivity. It was enacted that the demiſſion of the crown by the Queen, and the coronation of the prince were valid and formal deeds. The conſtitution of the earl of Murray to be Regent was pronounced to be lawful, ſufficient, and perfect. The earls of Huntley and Argyle with the lord Herries proteſted that the demiſſion of the Queen was an illegal act, and the conſequence of compulſion; and that all proceedings which had followed upon it were moſt unjuſt and unconſtitutional. The acts of the Eſtates in the year fifteen hundred and ſixty eſtabliſhing the reformation were ratified and confirmed as perpetual and inviolable laws. The papiſts were expoſed to all the ſeverities of perſecution. It was ordained that the Kings of Scotland ſhould regularly upon their coronation take a ſolemn oath to uphold the proteſtant religion. Regulations were made for improving particular forms of the eccleſiaſtical eſtabliſhment; and for ſecuring the revenue of which it was poſſeſſed. But all the weight of the clergy could not bring back to them the patrimony of the church. All the promiſes they had received, that this importance ſhould be beſtowed upon them, were forgotten. The laity who had profited by the benefices of the church, were ſtill tenacious of the acquiſitions they had made *.

It approves the proceedings againſt the Queen, and ſuſtains the letters to Bothwel as proofs of her guilt.

The earls and lords who had taken arms againſt the Queen, and had thrown her into priſon, were declared to be true and faithful ſubjects of the realm; and it was decreed that they had offended againſt no ordination or law. A full and complete approbation was accorded to them for all

* Black Acts, ſtat. James VI. p. 1. 14.

the

the tranſactions in which they had been engaged from the period of the murder. The letters to Bothwel, and her marriage with him, were ſpecified as the cauſe of their rebellion and rigour againſt the Queen. Her detention in priſon, and any future ſeverity to which they might proceed, were ordained to be right and regular; and it was reſolved and concluded that all perſons whatſoever who had hitherto aſſiſted the earls and lords in oppoſition to her, or who might yet join in their quarrel, ſhould be accounted and held as innocent, and guiltleſs of any crime, and that no ſuit, either civil or criminal, ſhould ever be competent againſt them*. Book IV. 1567.

While the Regent and his friends thus ſecured impunity to themſelves, they ſtamped the imputed tranſgreſſions of the Queen with a parliamentary ſanction. Upon the letters to Bothwel they reſted their own vindication, and they appealed to them and to her marriage as the vouchers of her iniquity. Yet theſe papers, which were held out as ſo important, were ſuſtained without any examination or ſcrutiny; and it was moſt notorious, that in concert with Bothwel, they had not only planned her marriage, but had carried it into execution by their influence and power. They did not open the gates of that priſon to which they had confined their ſovereign; and they did not call her before the parliament to ſpeak in her defence. She was not even permitted to have an agent or a repreſentative. All power of juſtification was withheld from her. She was denied that common humanity and juſtice, which in rude as well as poliſhed ſocieties is due, and paid to the moſt abject and

* Black Acts, p. 15. Anderſon, Collections, vol. ii. p. 206. 239.

Book IV. 1567. the moſt abandoned criminal. Nor were they contented with this wanton mockery of her ſanctimonious rights as a Queen and as a human creature. They not only obtained from the three Eſtates a pardon of their paſt tranſactions to her prejudice, but engaged them to extend their impunity to the cruelties they might ſtill commit againſt her. In the overbearing tyranny of their meaſures they betrayed the lively conſciouſneſs of their own enormous guilt, and of her injured innocence.

It forfeits the earl of Bothwel. The three Eſtates, in proceeding againſt Bothwel, diſplayed the ſame partiality for the Regent and his cabal, which is ſo ſtrongly manifeſted in their ordinations againſt the Queen. It was conſiſtent with juſtice that all the proofs of his crimes ſhould be produced before the parliament. But it was very dangerous for the Regent and his friends to be exact in this buſineſs. They were ſenſible of the part they had acted in concurrence with him. It was thought ſufficient to ſuppoſe, and to declare his guilt, and unneceſſary to prove it. The earl of Cathneſs, who had been chancellor upon his aſſize, when the perſons now loading him with reproaches, were aſſiduous for his acquittal, entered a proteſtation, that a parliamentary decree of his crimes ſhould not infer any blame in him, or in the jury over which he had preſided, nor expoſe them to ſuffer in their perſons or eſtates. He urged that they had given a verdict in his favour, becauſe no evidence of his criminality was laid before them. He now, however, expreſſed his own willingneſs, and that of the jury to concur with the ſentiments of the three Eſtates. The formality of his acquittal was thus taken away. A parliamentary declaration, without entering into particulars, communicated to him all the heinouſ-

neſs

neſs and infamy of the crimes with which he was charged; and his life and his property were forfeited *.

1567.

1568. Four of the regicides are executed.

Upon the diſſolution of this packed and moſt corrupted aſſembly, the Regent reſolved to hold juſtice courts throughout the kingdom; and he commenced his judicial proceedings by the execution of four ſervants of Bothwel, who had been convicted of being acceſſory to the King's murder. Their names were Dalgleiſh, Powrie, Hepburn, and Hay. Of the guilt of their maſter, and of their own, there appears not any doubt. But though they were practiſed with to accuſe the Queen, and had been detained for ſome time in priſon with this view, they yet withſtood every temptation to an enormity ſo flagitious. When on the ſcaffold they addreſſed themſelves to the people; and after having ſolemnly declared their belief of the innocence of the Queen, they proteſted before God and his angels, that the earl of Bothwel had informed them, that the earls of Murray and Morton were the contrivers of the King's murder †.

3d January.

Affairs take a turn to the advantage of the Queen.

The tranſactions of the parliament did not ſerve to advance the reputation, or the popularity of the Regent. Argyle and Huntley were infinitely diſguſted with his violence. The people had expected a minute diſplay of the crimes imputed to the Queen. The ſtrong and repeated accuſations againſt her, and the induſtrious concealment of the letters to Bothwel, created ſuſpicions and doubts. The more that her caſe was conſidered, its ſeverity appeared to be the harder. The more anxiouſly that the conduct

* Proteſtation of George earl of Cathneſs in parliament, 20th December, 1567, ap. Goodal's MSS. Anderſon's Collections, vol. iv. p. 152.

† Camden, p. 406.

of

Book IV. 1568. of her enemies was ſcrutinized; it exhibited the greater occaſion for cenſure and reproach. The dying confeſſions of the regicides left a melancholy impreſſion to their diſadvantage. A revolution ſo unexampled in the government, required the moſt weighty arguments to juſtify it; and the reaſons held out for it began to be conſidered as little better than pretences. Men of reflexion took the alarm. The rigour and avarice with which the Regent directed himſelf in the exerciſe and management of his juſtice courts, diffuſed apprehenſions and terror. It was obſervable that his elevation to his new dignity had inſpired him with haughtineſs. The free ſpirit of the Scottiſh conſtitution did not permit their ſovereigns to be ſurrounded with ſtanding guards. He was pleaſed, however, to have a band of ſoldiers about his perſon; and his enemies failed not to remark this affected grandeur and this jealous precaution in a man who was but the baſtard of a king, and a Regent only by uſurpation. The flight of Bothwel had removed the great ſource of odium againſt the Queen. The Houſe of Hamilton perceived that the ſtability of the Regent muſt terminate in their ruin, and were influenced againſt him by the ſtrong motives of intereſt and ambition. They might loſe their eventual right to the crown; and their riches might allure his rapacity, and that of his adherents. John, commendator of Aberbrothick, the ſecond ſon of the duke of Chatellerault, afterwards marquis of Hamilton, departed from Scotland without his licence, and proceeded to France, to ſolicit aid for the deliverance of the Queen. Murray of Tullibardin had private cauſes of quarrel with the Regent, was popiſhly inclined, had talents for war, and vaſſals who were attached to him. Maitland of Lethington,

ton, who forſook all parties from reſtleſſneſs, from a diſappointment of expected rewards, or from an incurable proneneſs to treachery, had become cold and remiſs. The lord Fleming kept for the Queen the caſtle of Dunbarton, and could neither be compelled, nor allured to give it up to the Regent. Hopes of preferment and the love of change, ſtimulated many to a defection from his party. The Roman catholics, expoſed to all the fury of perſecution, were animated in the cauſe of their ſovereign, with the warmeſt zeal. The nation was returning to ſentiments of duty and allegiance. Her friends had frequent meetings to conſult and deliberate upon her reſtoration, found their ſtrength to increaſe, and were about to be formidable *. Book IV. 1568.

Mary, in the mean while, was contriving to eſcape from her confinement; and there was in the caſtle of Lochlevin a young gentleman called George Douglas, the brother to her keeper †. He

She makes her eſcape from Lochlevin.

* Cabala, p. 147. Spotſwood, p. 214. Melvil, Memoirs, p. 179. Buchanan, Hiſt. Rer. Scot. lib. xix.

† It is very remarkable that about this time the earl of Murray paid a ſecond viſit to the Queen at Lochlevin; and it is greatly to be regretted that there is no proper account of the converſation that paſſed between them. We know from Sir James Melvil, that the injuries of his firſt viſit were ſuch, "that they cut the thread of love and credit betwixt "the Queen and him for ever." Memoirs, p. 174. How much then muſt ſhe have felt and ſuffered from the barbarous indignity of a ſecond viſit from him! By a letter of the 3d of April, 1568, from Sir William Drury, the marſhal of the garriſon of Berwick, to Secretary Cecil, we learn that "ſhe burdened him of the rigour that was uſed unto her "at this laſt parliament." His reply was unfeeling for her in the greateſt degree, and explanatory of himſelf and his faction. "He anſwered, ſays Drury, that he and the "reſt of the nobility could do no leſs for their own ſurety, "in reſpect that they had enterprized to put her in capti-"vity." Keith, p. 469. This apology, ſo ſelfiſhly rude, ſeems

Book IV. 1568. He was not more than eighteen years of age. To him ſhe paid a flattering attention. Her engaging manners, her misfortunes, her beauty, her ſmiles, won him completely to her intereſt. She opened her mind to him, and even inſinuated that ſhe might tender her hand as the reward of his ſervice and fidelity. His heart was big with love, generoſity, and the ſpirit of adventure. By his means ſhe correſponded with her friends, and prepared them for her enterprize. Upon the ſecond day of May, about ſeven o'clock in the evening, when her keeper was at ſupper with his family, George Douglas, poſſeſſing himſelf ſecretly of the keys of the caſtle, haſtened to her apartment. He conducted her out of her priſon. She felt herſelf to be again a Queen. He locked the gates of the caſtle behind him, to prevent a ſudden purſuit. They flew to the lake, entered the boat that was in readineſs for them, and were inſtantly rowed to the oppoſite ſhore. There ſhe was received by the lord Seton, with a choſen band of horſemen in complete armour. That night he conveyed to his houſe of Niddrie in Weſt Lothian. She reſted a few hours, and ſet out for Hamilton *.

Her friends reſort to her. The news of her eſcape threw her ſubjects into an extreme agitation. Her friends repaired to Hamilton from every quarter. The earls of Argyle, Caſſilis, Rothes, and Eglington, the lords Somervile, Yeſter, Levingſton, Borthwick, Herries, Roſs, and Fleming, with other perſons of diſtinction, came to wait upon her with congratulations, and the offer of their ſervice. They put their vaſſals and dependants into motion.

ſeems to carry in it by implication an acknowledgement of the forgery of the letters to Bothwel, and indeed of the general injuſtice of the tranſactions againſt her.

* Keith, p. 472.

The

The Regent was at this time holding a juſtice court at Glaſgow. The ſurprize he teſtified was exceſſive, and he prepared for the dangers that threatened him. The conſternation of his adherents was manifeſt. Some forſook him openly to pay their court to the Queen. Many withdrew privately to make their ſubmiſſions. Others ſought a ſecurity in concealments. He was adviſed to retreat to Stirling, but rejected an expedient which would animate his enemies, and diſcourage his partizans. He conſulted his courage and his prudence. He knew the part which it was proper for him to act; and his precautions were reſolute and vigorous.

Her reſignation of the crown is declared to be void.

A meſſage from the Queen admoniſhed him to ſurrender the Regency, and not to oppoſe himſelf to her government; and it intimated that a pardon of all the proceedings againſt her perſon and her honour, would be the reward of his ſubmiſſion. He returned no direct anſwer; but appeared diſpoſed to gain time by entering into a negociation. The Queen calling a council of her nobles and principal men, declared to them, that her ſubſcription of the inſtruments, giving away her crown, was not voluntary or legal, but the effect of force and of terror. Sir Robert Melvil, and other perſons who were preſent when the deeds were brought to Lochlevin, confirmed her declaration. They were pronounced to be void, and of no authority. The inauguration of the King, and the Regency of the earl of Murray, were ſet aſide as uſurpations. Proclamations were iſſued for collecting troops by both factions; and the Queen diſpatched an ambaſſador into England and France, to announce her eſcape, and to ſolicit aſſiſtance to re-eſtabliſh

Military preparations.

her

Book IV. 1568.

her auuthority *. In the midſt of theſe preparations, the Queen made a new overture for an accommodation, and empowered ſeveral nobles to act in this buſineſs; but the Regent and his adherents were determined upon meaſures of hoſtility and violence.

A bond of defence is ſubſcribed in favour of the Queen.

The Regent erects the royal banner.

The friends to the Queen engaged in a bond of defence, obliging themſelves to protect her perſon, her honour, and her right to the crown, againſt a rebellious and unnatural diviſion of her ſubjects, who from ſelfiſhneſs and ambition had treated her with the moſt cruel indignity and injuſtice, and who were menacing her with death.

8th May.

This bond was ſubſcribed by eight earls, nine biſhops, eighteen lords, twelve abbots and priors, and nearly one hundred barons. The Queen ſurveyed her ſtrength, and found it amount to ſix thouſand combatants. The Regent did not ſcruple to erect the banner of the prince her ſon in oppoſition to her. The earls of Morton, Glencairne, and Marre, the lords Hume, Lindſay, Ruthven, and Semple, with the vaſſalage of the family of Lennox, were ſtrenuous to ſupport him. His army conſiſted of four thouſand men †.

The prudence of the Queen.

The impetuoſity of the Hamiltons.

It appeared to the Queen that ſhe ought not to put her proſperity to the hazard of a battle. She dreaded the military renown of the Regent, and knew that his officers were of approved valour and experience. An unfortunate encounter might not only involve her anew in all the miſeries of captivity, but expoſe her to be ſacrificed to the revenge and fury of her enemies. Monſieur de Beaumont, an envoy who had lately arrived from France, to remind the earl of Murray of his en-

* Spotſwood, p. 215. Buchanan, Hiſt. Rer. Scot. lib. xix. † Keith, p. 475, 476. 478.

gagements

gagements to Charles IX. to aſſiſt the Queen, was eager to produce a reconciliation. The flower of the nobility were upon her ſide. In the ſtrong caſtle of Dunbarton ſhe could wait ſecurely for the arrival of the earl of Huntley and his northern warriors. Her popularity was growing with the great body of her ſubjects. A ſhort delay might bring into the field a power ſo formidable, as utterly to intimidate the Regent. A favourable return might arrive to her applications to England and France. His troops might moulder away, and the deſperate ſtate of his affairs compel him to ſeek for ſafety in flight, or to ſubmit himſelf to her mercy. The impetuoſity, however, of the Hamiltons got the better of her prudence. As her army was more numerous than that of the Regent, they held it to be ſtronger. Secure of victory, they flattered themſelves with the hope of deſtroying the great enemy of their Houſe. They were impelled too by other proſpects of ambition. The archbiſhop of St. Andrews, in the event of victory, thought to prevail with the Queen to marry the lord Hamilton, and to fix himſelf in the direction of affairs *.

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The Regent had marſhalled his troops upon Glaſgow moor, in expectation of the approach of the Queen's army. It was his buſineſs to bring on an engagement, and the briſkneſs of the Hamiltons promoted his purpoſes. He perceived the army of the Queen to be in motion. There was an advantageous ſituation on the hill above the village of Langſide. They were ſolicitous to get poſſeſſion of this poſt. He was at a greater diſtance from it, yet he endeavoured to be before them. The earl of Argyle, who

The battle of Langſide. 13th May.

* Anderſon, Collections, vol. iv. part i. p. 29. 33. Melvil, Memoirs, p. 180.

commanded

Book IV. 1568. commanded for the Queen, falling into a fit of the epilepſy, retarded the troops. The Regent ſecured the top of the hill, and had his choice of the ground. The earl of Argyle ranged his force into two columns upon an oppoſite mount. The troops of the Regent were alſo formed into two battles. Each army was provided with a few pieces of ordnance, which were played with little effect. The cavalry of the Queen charging thoſe of the Regent, put them to flight, and were advancing againſt his foot, when a ſhower of arrows from his bowmen threw them into confuſion. The left column or wing of the Queen's army, in which her greateſt ſtrength conſiſted, marched reſolutely into the plain, although annoyed by a body of muſketeers, who were placed in ambuſh. The Regent made haſte to oppoſe them with his firſt battle. There was a fierce and deſperate encounter with the ſpear and the ſword. The ſoldiers of the Regent ſeemed in danger, and were recoiling. His ſecond battle, in which he confided moſt came forward to ſupport him. This movement gave the turn to the day. A panic ſpread itſelf among the Queen's troops; and being preſſed with impetuoſity, their defeat was total and irretrievable. Three hundred combatants on the ſide of the Queen were left upon the field; but the Regent ſtaying the fury of his victorious ſoldiers, little blood was ſpilt in the purſuit. The lords Seaton and Roſs, with the maſters of Caſſilis and Eglington, were among the priſoners *.

Mary flies towards Kirkcudbright.

Mary, under the painful agitation of great paſſions, beheld the battle from a riſing ground. The overthrow of her army affected her with inexpreſſible ſorrow. Her courage and ſpirit

* Crawfurd, Memoirs, p. 57. Buchanan, Hiſt. Rer. Scot. lib. xix. Keith, p. 477. 480.

were

were altogether ſunk in the anguiſh of this humiliating event. She was haunted with the terrors of captivity and death. With no guard to protect her, ſhe could not venture to take the road to Dunbarton caſtle. The paſſes to it were in the poſſeſſion of the Regent. The lord Herries directed her flight to Galloway; and ſhe reſted not till ſhe reached the abbey of Dundrenan, which is near to Kircudbright, and more than ſixty miles from the village of Langſide. Here ſhe had a preſent ſecurity, and might deliberate upon the courſe that was beſt ſuited to the deſperation of her affairs. The communication with England was ſhort and eaſy; or leaving for ever an iſland which engendered only calamities to her, ſhe might take her paſſage to France, where ſhe had known ſo much proſperity and happineſs *. Book IV. 1568.

The envoy, in the mean time, whom Mary had ſent to England with the intelligence of her eſcape from Lochlevin, and with a ſolicitation of aſſiſtance had communicated his diſpatches to Elizabeth. But this princeſs, inſtead of complying with the importunities of her ſiſter, and of making an immediate effort to relieve her diſtreſs, had recourſe to inſincerity and negociation. She commanded her ambaſſador to repair to the Queen of Scots with expreſſions of joy for her deliverance; and ſhe enjoined him to recommend concord and amity to the contending factions; to threaten the Regent with her arms if he ſhould not ſubmit to his ſovereign; to caution Mary againſt the introduction of French troops into Scotland; and, if poſſible, to accompliſh her elevation over her ſiſter Queen, and to procure to her the direction of the Scottiſh affairs The inſidious conduct of Elizabeth.

* Keith, p. 481.

Book IV. affairs under the character of a mediator, or a guardian. To hold Mary in dependance was, as uſual, her object. The battle, however, of Langſide had altered materially the ſituation of the Scottiſh Queen; and this negociation was never to be opened. The purpoſes in the view of Elizabeth deſerve, notwithſtanding, to be mentioned, as they illuſtrate the condition of her mind in a critical period of the hiſtory of the Queen of Scots*.

1568.

Mary thinks of truſting herſelf to Elizabeth.

Mary having taſted ſome repoſe after the fatigues of her long and ſorrowful journey, held a council of her attending friends upon the meaſures which it became her to purſue. To go to France in a miſerable and forlorn ſtate, where ſhe had appeared with ſo much glory and ſplendour, was a mortification to which ſhe could not ſubmit. To conceal herſelf in her own kingdom, to encourage in ſecret the combination of her party, and to come forward in the hour of their ſtrength was a ſcheme which was wiſe and prudent. It was, however, urged upon her without ſucceſs. She meaſured the generoſity of the Queen of England by her own. During her impriſonment at Lochlevin, Elizabeth had encouraged and invited her to effect her eſcape, and to take ſhelter within her dominions. She had even ſent her a ring as a token of her friendſhip and protection, and gave her a promiſe that ſhe would leave her capital in order to meet her upon the road, and to give her the hearty welcome which was due to a ſiſter whom ſhe loved. Theſe inſidious kindneſſes made an impreſſion upon the credulous, and tender nature of Mary. Throgmorton had even contrived to preſs the point of her retiring into England; and

* Anderſon, Collections, vol. iv. part i. p. 26. 29.

ſhe

ſhe inſtructed him to inform his Queen that ſhe would gladly abandon a people who had been ſo cruel and outrageous to her; and that, as ſhe could not live with ſafety, or pleaſure in her own realm, ſhe would take up her reſidence in England in preference to every other country *. The recollection of theſe circumſtances affected her now in the extremity to which ſhe was reduced. She thought of putting the friendſhip

* It is probable that the earl of Murray was privy to the ſcheme of Elizabeth to ſeduce Mary to eſcape from Lochlevin, and that he facilitated the intercourſe which Throgmorton kept up with her. His intimate connexion with Elizabeth leads to this ſuſpicion. It was, doubtleſs, imagined that ſhe would fly directly to England, without attempting any effort to recover her kingdom. The earl of Murray, after his viſit to Mary at Lochlevin, had a converſation with Throgmorton. "The ſaid earl, ſaid this ſtateſman, declared unto me, that the Queen his ſiſter ſent me "her hearty commendations, and required me to thank "your Majeſty for your good affection to her, whereof you "had made good proof, in ſending me hither. And as ſhe was "beholding to your Majeſty for this your favour, employed "for her relief already; ſo ſhe deſired your Majeſty to be "pleaſed, and to procure that ſhe may live with you in "England, in what ſort and manner it ſhould pleaſe your "Majeſty to appoint: For truly ſhe had no deſire to live in "her own country, nor any other but there in your realm." Letter to Queen Elizabeth, ap. Keith, p. 447. This is a remarkable paſſage; and it is confirmed by, and ſerves in its turn to explain the following very curious information in Sir James Melvil's Memoirs. He is ſpeaking of the Queen's friends, "They to ſtrengthen themſelves under the name "of authority, deviſed how to draw the Queen's Majeſty "out of *Lochlevin* to be their head before the time was "ripe; whereof the Regent was oft and frequently warned, "even by divers who were upon the counſel of her out-"taking, who deſired that way to win thanks at his hands. "But he would credit nothing, but ſuch things as came out "of the mouths of thoſe who had crept into his favour by "flattery." Mem. p. 180. Melvil here betrays the truth; and diſcovers to his reader that his candour was greater than his penetration.

Book IV. 1568. of Elizabeth to the teſt. The lord Herries and the archbiſhop of St. Andrews, remonſtrated in vain upon the imprudence, and the perils of this conduct. They fell upon their knees conjuring her to forego a reſolution that muſt terminate in her ruin. Their arguments, their entreaties, and their tears were all ineffectual. She determined to ſeek a refuge in England, and to court in perſon the protection of a Queen who had never ceaſed to diſturb her reign; and whoſe dominions were the common and the ſecure retreat of the moſt inſolent, and the moſt rebellious of her ſubjects*.

She embarks for England. 16 May. In obedience to her orders the lord Herries addreſſed a letter to Mr. Lauder, the deputy commander at Carliſle, and after detailing her defeat at Langſide, deſired to know if ſhe might truſt herſelf upon Engliſh ground. This officer wrote inſtantly an anſwer, in which he ſaid, that the lord Scroop the warden of the frontiers being abſent, he could not, of his private authority, give a formal aſſurance in a matter which concerned the ſtate of a Queen; but that he would ſend by poſt to his court to know the pleaſure of his ſovereign; and that if in the mean time any neceſſity ſhould force Mary to Carliſle he would receive her with joy, and protect her againſt her enemies. Mary, however, before the meſſenger could return, had embarked in a fiſhing boat with ſixteen attendants. In a few hours ſhe landed at Wirkington in Cumberland; and from thence ſhe proceeded to Cockermouth, where ſhe continued till Mr. Lauder having aſſembled the gentlemen of the country, conducted her with the greateſt reſpect to the caſtle of Carliſle†.

* Haynes, p. 464. Anderſon, Collections, vol. iii. p. 10. † Anderſon, Collections, vol. iv. part i. p. 2, 3.

To

To Elizabeth ſhe announced her arrival in a diſpatch which deſcribed her late misfortunes in general and pathetic terms, and in which ſhe expreſſed an earneſt ſolicitude to pay her a viſit at her court, and the deep ſenſe ſhe entertained of her friendſhip and generoſity. The Queen of England by obliging and polite letters condoled with her upon her ſituation, and gave her aſſurances of all the favour and protection that were due to the juſtice of her cauſe. But as they were not accompanied with an invitation to London, Mary took the alarm. She thought it expedient to inſtruct lord Fleming to repair to France; and ſhe entruſted lord Herries with a moſt preſſing remonſtrance to Elizabeth. Her anxiety for an interview in order to vindicate her conduct, her ability to do ſo in the moſt ſatisfactory manner, and her power to explain the ingratitude, the crimes, and the perfidy of her enemies were urged to this princeſs. A delay in the ſtate of her affairs was repreſented as nearly equivalent to abſolute deſtruction. An immediate proof was therefore requeſted from Elizabeth of the ſincerity of her profeſſions. If ſhe was unwilling to admit into her preſence a Queen, a relation, and a friend, ſhe was reminded, that as Mary's entrance into her dominions had been voluntary, her departure ought to be equally free and unreſtrained. She valued the protection of the Queen of England above that of every other potentate upon earth; but if it could not be granted, ſhe would ſolicit the amity, and implore the aid of powers who would commiſerate her afflictions, and be forward to relieve them. Amidſt remonſtrances, however, which were ſo juſt and ſo natural, Mary failed not to give thanks to Elizabeth for the courteſy with which ſhe had hitherto been treated in the caſtle

Book IV.

1568.

She puts the friendſhip of Elizabeth to the trial.

Book IV. 1568. of Carliſle. She took the opportunity alſo to beg of this princeſs to avert the cruelty of the Regent from her adherents, and to engage him not to waſte her kingdom with hoſtility and ravages; and ſhe had the prudence to pay her compliments in an affectionate letter to ſecretary Cecil, and to court his kind offices in extricating her from her difficulties and troubles *.

Deliberations about Mary by Elizabeth and her ſtateſmen.

But the Queen of England was not to be moved by remonſtrances. The voluntary offer of Mary to plead her cauſe in the preſence of Elizabeth, and to ſatisfy all her ſcruples was rejected. Her diſaſters were rather a matter of exultation than of pity. By ſoothing the exile of her ſiſter, by attending to her wrongs, and by reſtoring her to her crown, Elizabeth might have exhibited a ſignal example of magnanimity and juſtice. Her deliberations, however, and thoſe of her ſtateſmen were not directed by maxims of equity, of compaſſion, or of generoſity. They conſidered the flight of Mary into England as an accident that was fortunate and favourable to them; and they were ſolicitous to adopt thoſe meaſures which would enable them to draw from it the greateſt profit and advantage. If the Queen of Scots were permitted to return to her own dominions, it was probable that ſhe would ſoon be in a condition to deſtroy the earl of Murray and his faction who were the friends of England. The Houſe of Hamilton, who were now zealous in the intereſts of France, would riſe into conſideration and power. England would be kept in perpetual turmoils upon the frontiers. Ireland would receive moleſtation from the Scots, and its diſturbances grow important and dangerous. Mary would renew with

* Camden, p. 411. Anderſon, vol. iv. part i. p. 29. 46. 51.

redoubled

redoubled ardour her deſigns upon the proteſtant religion; and a French army be again introduced into Scotland. Elizabeth and her miniſters rejecting this ſcheme, examined the caſe of the Queen of Scots, if ſhe ſhould be permitted to be at liberty in England. In this ſituation ſhe would augment the number of her partizans, ſend to every quarter her emiſſaries, and inculcate her titles to the crown. Her eloquence, her beauty, her addreſs were all formidable. Her ambition would increaſe with flattery and ſucceſs; and an attempt be meditated to dethrone the Queen of England. Foreign ambaſſadors would afford her aid, and take a ſhare in her intrigues; and Scotland, when there was ſo high an object to be gained, would enter with cordiality into her views. This plan being alſo hazardous, it was deliberated, whether the Queen of Scots might not be allowed to take a paſſage into France. But all the pretenſions which hitherto had threatened the crown of Elizabeth would in this event be revived. A ſtrong reſentment to her would even urge Mary and Charles IX. to the boldeſt and the moſt deſperate enterprizes. The party of the Queen of Scots in England, ſtrong from motives of religion and affection, and from diſcontents and the love of a change, would ſtimulate their anger and ambition. England had now no territories in France. A war with that country and with Scotland would involve the greateſt dangers. The Scots had not forgot their antient habits of hatred and hoſtility. France was abundant in reſources and in men; and the diſcipline of war had undergone alterations which were not favourable to England; whoſe inhabitants, although they had heretofore excelled all nations, in archery, maintained not a ſimilar ſuperiority in the great and

Book IV. 1568.

Book IV. the ſmall ordnance. Upon revolving theſe meaſures and topics, Elizabeth and her counſellors were induced to conclude that it was by far the wiſeſt expedient to keep the Queen of Scots in confinement; to invent methods to augment her diſtreſs; to give countenance to the Regent; and to hold her kingdom in dependance and ſubjection *.

1568.

In theſe reſolutions there were indeed an evident injuſtice, and a ſavage rigour. But objections of this kind, it was thought, might be taken away or concealed by expreſſions of lenity, and under appearances of reſpect and affection. It was contended in vain, that a plan more moderate in itſelf, and in effect equally deſtructive of the conſequence of the Queen of Scots, would preſerve better the national integrity and honour. It was propoſed to reſtore Mary to her kingdom, under limitations and conditions that would give Elizabeth the moſt ample opportunities to interfere in her affairs, and to direct and govern them †. This ſcheme, however, was derided as precarious and uncertain. The prime counſellors of Elizabeth knew well her temper and diſpoſitions; and they encouraged them. No ſentiment of generoſity opened itſelf in her boſom. The greatneſs of replacing an injured and ſuffering princeſs upon her throne, and of recovering to her the full and undiminiſhed enjoyment of her rank and rights, never once entered into her conceptions. It was in her power by atchieving this magnanimous part, to gain to her for ever the gratitude and attachment of her ſiſter Queen, and to cover her brow with the moſt honourable laurels. But ſhe choſe to

* Anderſon, Collections, vol. iv. p. 34. 42. p. 43, 44.

† Ib.

indulge

indulge in jealouſies, and anger, and rivalſhip, to add to the ferment of miſerable paſſions, and to feed the cankers that were waſting her heart. Book IV. 1568.

Proceedings of the Regent.

The Regent, in the mean time, was careful to ſecure all the advantages of his victory. He took poſſeſſion of the caſtles of Hamilton and Draffan; and by the impetuous zeal of lord Ruthven, he obliged the earl of Huntley to retire northward although he had advanced to the banks of the Tay with two thouſand men. He took the road himſelf to Edinburgh to oppoſe the remains of the Queen's army which had been collected by the earls of Argyle and Caſſilis. He was at the head of four thouſand horſe and two thouſand foot. His approach completely diſconcerted the adherents of the Queen. All reſiſtance was vain; and there was no alternative but ſubmiſſion or flight. He could now give the law to his enemies. His reſentments were keen like his ambition; his partizans were impatient for the rewards of ſervice; and confiſcations and forfeitures were talked of. He was preparing to let looſe all the terrors of power; and he thought of aſſembling a parliament to give a ſanction to his purpoſes *.

He makes an offer to Elizabeth to accuſe Mary.

In the pride of ſucceſs he forgot not, however, that his ſovereign was ſtill alive; and that he had much to apprehend from her ſpirit, her activity, and her reſources. He turned therefore his attention to Elizabeth, and was ſolicitous to inflame her againſt Mary. He deputed to London Mr. John Wood his ſecretary, and while he armed him with complaints to her prejudice, he made an offer not only to juſtify himſelf, but to accuſe her as a party to the murder of her huſband. Theſe complaints, and this

* Buchanan, Hiſt. Rer. Scot. lib. xix, Spotſwood, p. 217.

offer

Book IV. 1588. offer reached Elizabeth while ſhe was meditating with her ſtateſmen upon the caſe of the Queen of Scots. They were moſt agreeable to her, and could not have come at a more ſeaſonable juncture. In a letter to him written with her own hand, ſhe approved and accepted his propoſal; and told him, that he was charged by Mary with high miſdemeanors, and that ſhe was ready to enter fully into her tranſactions, and to vindicate her behaviour. She took the liberty to adviſe, and to require him to forbear all hoſtility either by arms or law againſt thoſe who had joined themſelves to her faction. She admoniſhed him to think of the defences which he ought to make for himſelf; and ſhe aſſured him, that ſhe would direct and determine between his ſovereign and him with entire impartiality, and conſult and maintain the peace and concord of the two realms *.

Mary is informed that ſhe cannot be admitted into the preſence of Elizabeth till ſhe is cleared of the crimes imputed to her.

Elizabeth in her zeal to involve the affairs of the Queen of Scots delayed not to return an anſwer to the diſpatches brought to her by lord Herries. By Mr. Middlemore whom ſhe ſent to Carliſle ſhe informed Mary, that ſhe was not by any means averſe from affording her protection and ſecurity; but that ſhe had abſtained from inviting her to her court, becauſe ſhe was accuſed by her ſubjects of the horrible crime of being concerned in the murder of her huſband. She ſaid, that of herſelf, ſhe could neither condemn nor acquit her. It was alone by the method of an honourable trial, that her innocence could be eſtabliſhed. A legal declaration of it would affect her with the trueſt joy; and ſhe would then receive her in her capital, embrace her with love,

* Anderſon, Collections, vol. iv. p. 68. Goodal, vol. ii. p. 73, 74.

and

and exert with ardour her whole power in her behalf. She was willing to require the earl of Murray to deſiſt from all proceedings againſt the Houſe of Hamilton and her other friends; had ſent her a copy of her diſpatch to him for this end; and deſired upon her part an order to her partizans to continue in tranquillity. She expected that no French troops ſhould be put into Dunbarton Caſtle, or introduced into any quarter of Scotland; and if any ſuch ſtep ſhould be taken, ſhe declared that ſhe would change altogether the ſtrain of her conduct, and be an enemy. In fine ſhe intimated the propriety of removing her farther from the frontier, that ſhe might be leſs expoſed to the attempts of her adverſaries *. Book IV. 1568.

It filled Mary with the utmoſt ſurprize, that Elizabeth ſhould think ſeriouſly of being an arbiter in her affairs, and ſhould build ſo lofty a pretenſion upon the deſire ſhe had intimated of detailing to her in a perſonal interview her misfortunes, and of juſtifying her conduct. It excited her aſtoniſhment and wonder, that the earl of Murray ſhould be anxious to accuſe her before the Queen of England; and the encouragement which Elizabeth afforded him to proceed in this buſineſs opened up to her the moſt diſquieting ſuſpicions of their integrity and virtue. Upon theſe heads ſhe expreſſed herſelf to Middlemore with an indignant warmth. The command of Elizabeth to the earl of Murray to deſiſt from proſecutions and war was the only part of his commiſſion that was agreeable to her. It was with extreme impatience that ſhe heard him explain the wiſh of his miſtreſs, that no French troops ſhould be introduced into Scotland; and

She is ſenſible of her miſtake in confiding in the friendſhip of Elizabeth.

She is watched to prevent her eſcape.

* Anderſon, Collections, vol. iv. p. 66, 94.

ſhe

Book IV. 1568. ſhe peremptorily refuſed to accede to any agreement of this kind, unleſs Elizabeth would immediately act in her defence. She ſmiled upon the mention of her removal to a greater diſtance from the frontier, on the pretence of being put in a ſtation more ſecure againſt the attempts of her adverſaries; and proteſted that ſhe entertained not any apprehenſion that her rebellious ſubjects would lay ſiege to Carliſle Caſtle. Although this envoy executed his commiſſion with ability and addreſs, he was not able to impoſe upon her underſtanding and penetration. She was already meditating her eſcape from the machinations of her ſiſter; and lord Scroop and Sir Francis Knollys, to whoſe care ſhe had been entruſted, were afraid, that ſhe would elude their diligence. They accordingly, had given notice to Elizabeth, that ſhe was too near to the borders, that in the neighbourhood of Carliſle there prevailed a ſtrong opinion of her innocence, and that the Scots were fond of reſorting to her. At the ſame time they repreſented her to be of an aſpiring mind, to be intent upon the recovery of her royal eſtate, and as accounting pain and peril to be pleaſant, if they ſhould lead her to greatneſs and victory *.

She expoſtulates with Elizabeth, upon her behaviour.

The commiſſion of Middlemore appeared in ſo ungenerous a light to Mary, that ſhe was not ſatisfied with the ſpirited manner in which ſhe had behaved to that ambaſſador. In a letter to Elizabeth herſelf ſhe expoſtulated with her warmly upon her behaviour. "I came, ſaid ſhe, into "your dominions to aſk your aſſiſtance, and not "to ſave my life. Scotland and the world have "not renounced me. I was conſcious of inno-"cence; I was diſpoſed to lay all my tranſac-

* Anderſon, Collections, vol. iv. p. 56, 57. 72. 80.

"tions

1568.

"tions before you; and I was willing to do you honour by making you the reſtorer of a Queen. But you have afforded me no aid, and no conſolation. You even deny me admittance to your preſence. I eſcaped from a priſon, and I am again a captive. Can it expoſe you to cenſure to hear the complaints of the unfortunate? You received my baſtard brother when he was in open rebellion. I am a princeſs, and your equal, and you refuſe me this indulgence. Permit me then to leave your dominions. Your ſeverity encourages my enemies, intimidates my friends, and is moſt cruelly deſtructive to my intereſts. You keep me in fetters, and allow my enemies to conquer my realm. I am defenceleſs; and they enjoy my authority, poſſeſs themſelves of my revenues, and hold out to me the points of their ſwords. In the miſerable condition to which I am reduced, you invite them to accuſe me. Is it too ſmall a misfortune for me to loſe my kingdom? Muſt I, alſo, be robbed of my integrity and my reputation? Excuſe me, if I ſpeak without diſſimulation. In your dominions I will not anſwer to their calumnies and criminations. To you, in a perſonal conference, I ſhall at all times be ready to vindicate my conduct; but to ſink myſelf into a level with my rebellious ſubjects and to be a party in a ſuit or trial with them is an indignity ſo vile, that I can never ſubmit to it. I can die, but I cannot meet diſhonour. Conſult, I conjure you, what is right and proper, and entitle yourſelf to my warmeſt gratitude; or if you are inclined not to know me as a ſiſter, and to withhold your kindneſs, abſtain at leaſt from rigour and injuſtice. Be neither my enemy nor my friend; preſerve yourſelf

Book IV. 1568.

" in the coldneſs of neutrality; and let me be " indebted to other princes for my re-eſtabliſh- " ment in my kingdom *.

Elizabeth is diſpoſed to compel Mary to ſubmit to her arbitration.

Theſe ſentiments expreſſive, at once of diſappointment, indignation, and magnanimity did not ſhake the purpoſes of Elizabeth. Her reſolutions were not made to be broken. She called together her obedient counſellors; and ſecretary Cecil took the charge of directing them. The flight of Mary to England in the confidence of friendſhip, and under the allurement and truſt of tokens and invitations from Elizabeth, her ſtation as an independent princeſs, her offer to acquit herſelf in a perſonal conference, and to charge upon her enemies the guilt they imputed

* Anderſon, vol. iv. p. 95. 98.

A few days after writing this letter to Elizabeth, Mary diſpatched George Douglas privately to France. He had attended her with fidelity from the period of her eſcape from Lochlevin; and while ſhe deſired Charles IX. to receive from him the detail of her misfortunes, ſhe recommended him in the ſtrongeſt manner to the protection of this monarch. The part of the letter which refers to him is finely characteriſtic of her gratitude for the ſervice he had rendered to her, and of the warm benevolence of her temper. " Donner luy, ſays ſhe, credit comme à moy; car il " m'a fait preuve de fidele ſerviteur, m'ayant oſtée d'entre " les mains de nos mortels enemis au danger de ſa vie & " perte de ſes proches parens. Et pour ce qu'il deſire juſ- " ques à ce qu'il voye qu'il me puiſſe faire ſervice comme " il à commencé de faire, demeurer peut un temps en votre " cour, pour auſſi attendre le remede que mettrez à mes in- " fortunes: je vous ſupplie luy donner quelque ſigne ou " entretien, pour faire connoiſtre qu'il vous à fait ſervice " me ſauvant la vie. Je repondray de ſa fidelité. Il à be- " ſoin de chercher de ſe preparer une vie en France, car il " en peut bien quitter ſa part en Ecoſſe, ſi je n'en ſuis mai- " treſſe, tout à fait. Je crains que ſi je ne reçois plus de " faveur icy, que je ſeray conſtrainte vous en envoyer d'au- " tres pour ce meſme effet; mais non un qui m'ait fait un " ſi bon & important ſervice." Additions aux Mem. de Caſtelnau, p. 510.

to

to her, and the general injuſtice of refuſing to any perſon whatſoever the privilege of complaint and juſtification were objections which were ſurmounted without any ſtruggle or difficulty. A great attention upon the other hand, was paid to the accuſations againſt Mary by her adverſaries; all the calumnies were recited which had been brought from Scotland by Mr. Wood, the ſecretary to the earl of Murray; and it was inculcated that England had a juriſdiction in Scottiſh cauſes from the ancient ſuperiority that belonged to its crown. It was, accordingly, concluded that Elizabeth could not conſiſtently with her own honour, nor with the tranquillity of her government permit the Queen of Scots to come into her preſence, to depart out of England, nor to be reſtored to her dignity and kingdom, till her cauſe ſhould be tried and decided; and an order was made to remove her from Carliſle caſtle, to confine her more cloſely in a place of ſtrength at a greater diſtance from the borders, and to guard effectually againſt the poſſibility of her eſcape *.

Elizabeth and the earl of Murray appear to underſtand one another.

When Middlemore left Mary he proceeded to Scotland. The earl of Murray in compliance with the requiſition of Elizabeth put a ſtop to hoſtilities; and found it a very eaſy matter to give compleat ſatisfaction to this envoy. The adherents of Mary continued in their apprehenſions; and his friends ſcrupled not to boaſt that the Queen of England was favourable to them †. From the behaviour of this ambaſſador he clearly perceived, that his offer to criminate his ſovereign had made a deep impreſſion upon Elizabeth; and he began to be anxious for the conſe-

* Anderſon, Collections, vol. iv. p. 99. 106. † Haynes, p. 465.

quences,

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quences. Whatever might be the fate of Mary he deemed it prudent to take precautions for his perſonal ſecurity. To proceed in the accuſation of his ſovereign, was a moſt dangerous courſe. He therefore required a promiſe of protection, and obtained it †.

He propoſes a preliminary article with regard to the letters to Bothwel.

But in the peculiarity of his ſituation there was another point which it was neceſſary for him to manage with Elizabeth. He had a doubt with reſpect to the ſufficiency of the letters, which it was ſaid, the Queen had written to Bothwel, and upon which he meant to rely as the evidence of the crimes imputed to her. "Although, ſaid "he, to Middlemore, I am fully convinced as "well as my friends, that the letters in our poſ- "ſeſſion from the Queen to Bothwel are irre- "fragable proofs of her conſent to the murder "of her huſband, yet I am at a loſs to know, "whether the judges to be appointed for her "trial will agree and ſubſcribe to our ſenti- "ments. It is fit, therefore, ſince Mr. John "Wood has a tranſlation of theſe letters, that it "ſhould be given to the judges and conſidered "by them, in order that I and my friends may "be aſcertained whether they will hold them to "be complete and probative. For, without a "preliminary article of this kind, we can have "no aſſurance that our cauſe ſhall ſucceed *." It is not preciſely known what anſwer was returned to him upon the part of Elizabeth, nor how ſhe underſtood this ſuſpicious anxiety and circumſpection. But it is natural to believe that it was not unfavourable, and that ſhe diſcovered enough of her mind to give him the hope of ſucceſs. It was equally their deſire, that the

* Public Papers, ap. Goodal vol. ii. p. 75. † Ibid. p. 75, 76.

trial

trial ſhould terminate to the prejudice of Mary; and a delicacy of principle and conduct neither conſiſted with their former habits of connexion, nor with the purpoſes which now filled, and agitated them.

She excites the counteſs of Lennox againſt Mary.

Amidſt all her keenneſs in perſecuting the Scottiſh Queen, Elizabeth diſcovered a moſt anxious deſire to divide and diminiſh the odium of her tranſactions. Her miniſter Sir William Cecil was induſtriouſly pointed to as a ſtrenuous enemy to Mary; and her privy council adhibited a ſanction to all her reſolutions. To give a colour, however, and a popularity to her proceedings which ſhe could expect neither from Cecil nor her nobles, ſhe operated upon the grief and reſentments of the counteſs of Lennox, the mother of lord Darnley. This unfortunate woman was wholly dependant upon her. She had thrown her into priſon upon the marriage of her ſon with the Queen of Scots; and it was only a few days after the event of his murder that ſhe had relieved her from confinement. Uncommon attentions and a ſtudied complaiſance were now paid to her; and it was contrived to inſtil into her mind a deep perſuaſion of the wickedneſs of Mary. Her trouble and anguiſh broke forth into loud complaints; and with all the vehemence of paſſion ſhe accuſed the Queen of Scots as the murderer of her ſon. Deformed with tears, and under the ſtrong agitations of ſorrow ſhe preſented publicly a petition to Elizabeth urging her trial, and the execution of juſtice. Elizabeth ſpoke comfort to her diſtreſs; but took the liberty to remind her, with an air of candour and impartiality, that it was not becoming to fix a charge ſo heinous upon ſo high a princeſs and her kinſwoman, without producing the cleareſt evidence of it. She added that the iniquity of

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the times was very great, that hatred was blind, and that offences and guilt were aſcribed too often to the innocent *.

The artifices of Elizabeth.

The lord Herries, in the mean time, preſſed the intereſts of his Queen, and the reaſonableneſs of her requeſts. Elizabeth contended in her turn for the propriety of a public trial, and that Mary, the more completely to do juſtice to herſelf, ought to be a party in a ſuit with her ſubjects. Many conferences were held, and the arguments upon each ſide were frequently repeated. In the obſtinacy of this conflict no advances were made to terminate the buſineſs. Elizabeth ſenſible at length, that the firmneſs of the Queen of Scots could not well be overcome by perſuaſion in a matter of this ſort, where propriety and equity were ſo obviouſly upon her ſide, and that ſhe could not with decency proceed to the ſtrong ſtep of a trial without her concurrence, abated the ſeverity of her conduct, and addreſſed herſelf to lord Herries in ſoft and alluring terms. She declared to him, that in wiſhing to interfere in the affairs of Mary ſhe had it in view to adjuſt and ſettle them upon an honourable and advan-

* Camden, p. 412.

The counteſs of Lennox ſome years before her death repented very much of the part ſhe was made to act againſt Mary; and was fully convinced of her innocence. She begged her pardon in many letters for the injuries ſhe had inadviſedly done to her; and apologized for them from the inſidious information preſſed upon her; but chiefly from the expreſs orders of the Queen of England, and the perſuaſions of her council, who were ſolicitous that no good underſtanding ſhould ever prevail between her and the Queen of Scots. When ſhe diſcovered accordingly that ſhe had been abuſed, and that Mary was innocent, ſhe not only deſiſted from her accuſations, but refuſed abſolutely to take any part againſt her. See a letter from Queen Mary to the archbiſhop of Glaſgow, of the 2d day of May 1578. Mem. Scot. in Col. Scot. Pariſ. tom. xi. N° 55. ap. Keith, p. 145.

tageous

tageous foundation; that ſhe was deſirous to recover to her all her royal rights, and to puniſh the treachery of her ſubjects, by the method which was eaſieſt and leaſt violent; and that ſhe was animated with a ſincere wiſh to bind the two kingdoms in a cordial union and tranquillity. Lord Herries was pleaſed with this language; and after conferring fully with Elizabeth upon the terms that were conſiſtent with this plan, he gave her to hope, that his miſtreſs would accord a hearty conſent to her purpoſes and propoſal. Book IV. 1568.

She ſends lord Herries to Mary with an offer which is accepted.

Mary by this time was removed to Bolton caſtle. Her confinement was cloſer, and fewer friends were admitted to her. Her ambaſſador the lord Fleming had been prohibited by the court of England from repairing to France. She was in a deſponding humour, and haunted with the terrors of an endleſs captivity. Upon arriving at Bolton caſtle, lord Herries intimated to lord Scroop and to Sir Francis Knollys that he had come from Elizabeth to his Queen; and he deſired them to attend him, and to be witneſſes of the meſſage which he had brought. "The "Queen of England, ſaid he, to Mary, is diſ- "poſed to examine your cauſe not as a judge, "but a friend. She thinks it expedient to ſend "for the noblemen who are your adverſaries, and "to oblige them to give an account of their "conduct before ſuch commiſſioners as ſhall be "agreeable to you. It is her opinion, that they "cannot juſtify themſelves; but if they ſhould "actually aſſign ſatisfactory reaſons for their "proceedings, ſhe will notwithſtanding reſtore "you to your kingdom, under the limitation of "their retaining their honours and dignities. "If they ſhall fail in their vindication ſhe agrees "to replace you upon your throne, and if ne- "ceſſary to employ her armies for that end, un-

Book IV. 1568. "der the conditions, that you ſhall renounce all "title to her crown during her life and during "the exiſtence of any iſſue of her body, aban- "don France, engage in a ſtrict league with "England, reject the maſs, and adopt the com- "mon prayer book after the form of the Engliſh "church *. Mary heſitated at firſt to ſubmit to theſe terms; but the remonſtrances of lord Herries, and a mature deliberation upon the wretchedneſs of her eſtate, induced her to afford them her approbation. She accepted them accordingly in a letter which ſhe addreſſed to Elizabeth.

Mary courts popularity. That the Queen of Scots was eager to recover her liberty and greatneſs, and fond to bind the two kingdoms in an intimate union are matters which admit not of any doubt; and with theſe views, ſhe now ſet herſelf to court popularity with Elizabeth, and the people of England. Religion which in all its variations, and under every form is an object intereſting to mankind, was in this age a moſt powerful ſource of recommendation and influence. She affected to be more thoughtful than uſual, and to have contracted from meditation a reſpect for the proteſtant doctrines. She expreſſed her applauſe of the book of common prayer, took an Engliſh chaplain into her ſervice, heard him declaim againſt the phariſaical juſtification of good works, and aſſail all the bulwarks of popery. This artifice was not altogether unſucceſsful. It was agreeable to

* Anderſon, vol. iv. p. 109.

Lord Scroop and Sir Francis Knollys were ſurprized with the extreme care and pointedneſs with which lord Herries delivered the meſſage of Elizabeth. "Thys meſſage the ſayde "lord Herrys repeated ſeven or eight tymes in our hearing "unto thys Quene." Sir Francis Knollys to ſecretary Cecil, Anderſon, vol. iv. p. 110. Lord Herries had doubtleſs a ſuſpicion, that Elizabeth would violate her own propoſal.

many;

many; and thoſe upon whom it could not impoſe drew from it the inference, that if ſhe was really attached to popery her zeal, at leaſt, was not that of a bigot. Sir Francis Knollys deceived by her addreſs informed ſecretary Cecil, that ſhe was an attentive and contented convert; and lord Scroop actually wrote to the earl of Murray that ſhe was animated with an unfeigned paſſion for the advancement of the Goſpel. This ſtateſman, however, giving no credit to his information, told him in return, that ſhe meant by diſſimulation to move the godlie to conceive a good opinion of her conformity and towardneſs *.

Her friends in Scotland write to Elizabeth for her deliverance.

The nobles of her faction, in the mean time, unapprized of her agreement with Elizabeth, addreſſed a letter to this princeſs on the ſubject of her reſtoration. Their remonſtrances were full of zeal and vigour. They enumerated all the favourable topics in her caſe, and beſought Elizabeth to act the part which became her. They urged their unanimity, the ardour with which they expected the return of their Queen, and the gratitude and attachment with which her deliverance would inſpire them. They preſſed the danger of the example of detaining her in captivity; deſcribing it as an encouragement to ſubjects to rebel, to think lightly at all times of the condition of ſovereign princes, and to trample underfoot upon ſlight occaſions whatever was moſt ſacred in their rights. What the Queen of Scots had ſuffered from the treachery and the arms of the earl of Murray and his faction, they deſired her to revolve in her mind as a matter of ominous reflection. Rebellion and treachery were not confined to one kingdom, or to one ſoil. They held out their own ſtrength as ſuperior to that of

* Anderſon, vol. iv. p. 113. 115.

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the oppoſite party, and recommended it to her to give her countenance to faithful ſubjects rather than to guilty and rapacious traitors. In fine, they aſſured her, that if ſhe diſregarded their requeſt they would conſult their duty to their ſovereign by ſounding her wrongs to all the princes of Europe, and by calling upon them to give ſtability to their own grandeur, by chaſtiſing her enemies, and putting her into the poſſeſſion of her crown *.

The Regent ſummons a parliament.

The duplicity of Elizabeth.

To theſe ſpirited remonſtrances no anſwer was given by Elizabeth. Yet ſhe was not without her apprehenſions; and as ſhe correſponded cloſely with the Regent, it was agreed that he ought to ſummon a parliament in order to know deciſively the ſentiments and condition of the Scottiſh nation. The day was appointed for the meeting of the Eſtates. The nobles for the Queen conceiving that he intended to proceed to extremities againſt them, collected their retainers, and took the field with two formidable armies. The preparations of the Regent though vigorous were inadequate to this emergency. Preſſed with preſent difficulties, and dreading greater, he had recourſe to Elizabeth. She applied herſelf to the Queen of Scots, who being unacquainted with the ſuperiority of her faction entered readily into the pacific ſcheme propoſed to her, and was impatient to prevent the devaſtations of civil war. Elizabeth pledged herſelf for the Regent; and Mary in a letter to her friends urged the diſmiſſion of their troops. The armies of each party

* Anderſon, vol. iv. p. 120. 124.

This letter was ſubſcribed by the archbiſhop of St. Andrews, the earls of Huntley, Argyle, Crawfurd, Errol, Rothes, Caſſilis, Eglington and Cathneſs; and by the lords Fleming, Roſs, Sanquhar, Ogilvie, Boyd, Oliphant, Drummond, Borthwick, Maxwel, Somervile, Forbes, and Yeſter.

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were accordingly disbanded. It was understood that no offensive transactions of any kind were to be pursued by the Regent; and that the only public business in which he was to engage, was to prepare for the defence of his conduct before the Queen of England *. Book IV. 1568.

The treachery and violence of the Regent.

In defiance, however, of the stipulations of Elizabeth and his own, the Regent proceeded to hold the parliament he had called, and to act with vigour against his adversaries. Forfeitures were passed against the archbishop of St. Andrews, the bishop of Ross, lord Claud Hamilton, and other persons of distinction who had declared for the Queen. The earl of Rothes consented to compensate for his disobedience by an exile of three years; and it was with difficulty that Maitland of Lethington could prevent the issuing attainders against the earls of Huntley and Argyle. The nobles for the Queen struck with this unprincipled contempt of engagements, and this imperious rigour, addressed themselves anew to Elizabeth; complaining of the injuries which they had suffered by reposing a confidence in her honour, demanding a remedy to them, and imploring either the immediate deliverance of their Queen, or an instant permission to her to pass into France †. Their letter however was disregarded by Elizabeth; and the Regent beside atchieving his parliamentary acts, did not scruple to unsheath his sword, and to call suddenly together a considerable body of soldiers, with whom he marched into Annandale and the lower parts of Galloway which were favourable to the Queen; overawing the inhabitants, committing devastations, and putting garrisons into those castles

* Anderson, vol. iv. p. 125.

† Ibid. vol. iv. p. 126, 127.

Book IV. which were conveniently ſituated for retaining the country in ſubjection *.

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Elizabeth commands the Regent to appear in England.

But in the midſt of his victories and ſucceſs the Regent received an expreſs meſſage from Elizabeth to appear in England in perſon, or by his deputies to defend himſelf for the part he had acted againſt his ſovereign. It bore the uſual marks of her refinement and duplicity. She could not, ſhe ſaid, endure, that the ſacred authority of princes ſhould be controlled by the luſt and the appetite of rebellious ſubjects; and although he and his faction might have forgot their duty and allegiance, ſhe would ſtill remember the offices of piety, affection, and kindneſs which were due to a ſiſter, a neighbour, and a Queen. If he ſhould refuſe obedience to her command, ſhe admoniſhed him, that ſhe would inſtantly give liberty to the Queen of Scots, and exert the fulneſs of her power to re-eſtabliſh her in her crown and kingdom. This threatening order was fully comprehended by the Regent; but though he was convinced that Elizabeth was unfriendly to Mary, he was notwithſtanding in a difficult ſituation. It was in every point of view a diſagreeable taſk to accuſe his ſovereign. Miſcarriage or ſucceſs would cover him alike with diſgrace. To prefer his accuſation before a foreign prince was a blow to the independency of his nation; and men who had no favour for the Queen would yet reproach him with an injury ſo humiliating to their country. Circumſtances might happen to defeat all his hopes of protection from the Queen of England. She could be laviſh of her promiſes, and forget them. He was agitated with the conſciouſneſs of his own tranſactions, a ſecret dread of

* Buchanan, Hiſt. Rer. Scot. lib. xix. Spotſwood, p. 128.

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the refinements of Elizabeth, the certainty of diſhonour under every event, and the thought of utter humiliation, if Mary ſhould be victorious *. 1568.

But whatever might be the ſtate of his mind and his paſſions, it behoved him to conform to the mandate of Elizabeth. It concerned his pride and his intereſt to conduct himſelf with ſkill in the perilous buſineſs in which he had embarked. By an inſtrument under the great ſeal of Scotland, in the name of the infant King he was appointed to preſent himſelf before the commiſſioners of Elizabeth; and there were named in conjunction with him, the earl of Morton, Adam biſhop of Orkney, Robert commendator of Dunfermling, and Patrick lord Lindſay. They were charged and conſtituted to make a true and ample declaration of the cauſes and motives which inſtigated the faction againſt the Queen to put themſelves in arms, and to ſet aſide her authority; and they had powers to contract and conclude treaties of alliance and amity with the Engliſh nation †. The Regent appointed Mr. James Macgill, Mr. Henry Balnaves, and Mr. George Buchanan to be aſſiſtants to him and his aſſociates. They were partizans in whom he could confide, and whoſe abilities and talents might be employed with advantage. He alſo engaged Maitland of Lethington to accompany him to England; and it was with extreme difficulty that he accompliſhed this point. For Maitland, who had declared himſelf in ſtrong terms againſt the nomination of deputies, and the arbitration of Elizabeth, was meditating an open revolt to the Queen of Scots, and was deſirous of remaining

Commiſſioners for his juſtification are appointed by him in the name of the young King.

* Camden, p. 412. Crawfurd, Memoirs, p. 74. † Anderſon, vol. iv. p. 35. Goodal, vol. ii. p. 119.

at

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at home to ſtrengthen himſelf in the view of the fall of the Regent *.

Queen Elizabeth appoints her commiſſioners.

Upon the part of Elizabeth, the commiſſioners were, Thomas duke of Norfolk, Thomas earl of Suſſex, and Sir Ralph Sadler. They were inveſted with full authority to treat with the Queen of Scots, or her deputies, and with the earl of Murray and his party, upon all hoſtilities, controverſies, queſtions, debates, and contentions, of what nature ſoever, which had a reference to the late tranſactions and revolution in the kingdom of Scotland; and they had powers to confirm and augment former treaties between the two realms, and to determine and eſtabliſh new confederacies and alliances †.

Commiſſioners are appointed by the Queen of Scots.

Theſe formal and ſtately preparations bore little reſemblance to that ſimple and friendly ſcheme of accommodation, which the Queen of England had propoſed to the lord Herries, and to which alone Mary had conſented. Yet after that Elizabeth had actually named her commiſſioners, the Queen of Scots did not heſitate to make choice of deputies to take care of her intereſts. She conſtituted to this charge Leſly biſhop of Roſs, lord Livingſton, lord Boyd, lord Herries, Gavin commendator of Kilwinning, Sir John Gordon of Lochinvar, and Sir James Cockburn of Skirling. In her commiſſion ſhe informed them that they were appointed in conſequence of the deſire of Elizabeth, to reſtore her to her crown and authority, in oppoſition to her rebellious ſubjects; and ſhe inveſted them with powers to meet with the commiſſioners of her ſiſter, and to treat and conclude upon the heads and articles

* Spotſwood, p. 218. Buchanan, Hiſt. Rer. Scot. lib. xix. † Anderſon, vol. iv. part ii. p. 3. Goodal, vol. ii. p. 94.

that

that ſhould be found the moſt reaſonable and expedient for reducing her adverſaries to a due ſubordination and obedience, for the eſtabliſhment of the affairs of Scotland, and for the emolument and proſperity of the two kingdoms *.

Elizabeth acts in the character of umpire.

Elizabeth had brought herſelf by her addreſs into a moſt conſpicuous ſituation. Mary, the rival of her greatneſs, was her priſoner. The earl of Murray, the conqueror of his own ſovereign, was her vaſſal and dependant. An antient kingdom, which the arms of her predeceſſors could never conquer, expected from her a termination to its troubles, and the enjoyment of tranquillity. Her pride was gratified in the moſt exquiſite degree; but her ſelfiſhneſs, and paſſions did not permit her to attain to true glory. Her pretended and her real views were very different. She ſpoke of friendſhip, and juſtice, and peace; but theſe things were far from her heart. Her arbitration had been repreſented by her as the eaſieſt method of accommodating the differences of the Queen of Scots and her ſubjects; and as a proof of her affection for Mary, ſhe had even proceeded ſo far as to declare to her, that although her guilt ſhould be fully manifeſted, ſhe would notwithſtanding reſtore her to her crown. When, however, ſhe gave inſtructions to her commiſſioners, ſhe loſt ſight altogether of the agreement, which ſhe had negociated with the Queen of Scots by the lord Herries. She employed it as the foundation upon which to eſtabliſh herſelf in the character of an umpire, and immediately diſregarded it. For her commiſſioners were ordered by her to proceed in ſuch a manner as to ſtain to the utmoſt extent of their power the re-

* State Papers, vol. B. p. 175. Anderſon, Collections, vol. iv. p. 33, 34. Goodal, vol. ii. p. 118.

putation

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putation of the Queen of Scots; and ſhe gave them permiſſion to aſſure the earl of Murray, that upon the production of ſufficient evidence of her guilt, ſhe would deem her to be utterly unworthy of a kingdom, and would take no ſteps of any kind to her reſtoration. The concealed and real meaning of her other inſtructions, was to recommend to them an attentive care of her intereſts, and ſo to improve the advantages of their ſituation as to effect in the way of ſtipulation or treaty, the partial or entire ſubjection of Scotland to the Engliſh crown *.

The commiſſioners meet at York.

The city of York was the ſcene where her deputies were to confer with thoſe of the Queen of Scots, and with the earl of Murray and his aſſociates. The commiſſions upon each ſide were mutually read and examined; and in this early ſtage of the buſineſs Maitland of Lethington was ſtruck with ſurprize at the authority and powers communicated to the Engliſh commiſſioners. Upon the recital of their commiſſion he took the liberty to addreſs himſelf to the Scottiſh deputies. It appeared, he ſaid, from the tenor of Elizabeth's commiſſion, that her object was not to promote a reconciliation of the factions which had diſturbed their country, and to effectuate the reſtoration of their ſovereign, but to engage them to throw a blemiſh upon the Queen of Scots, and thus to draw her within the power of her own ſentence and umpirage. He therefore called upon the earl of Murray and his aſſociates to reflect ſeriouſly upon the odium to which they would expoſe themſelves, not only among their own countrymen, but with all the princes of Europe, if they ſhould charge her in this public

Lethington addreſſes himſelf to the Scottiſh deputies.

4th October.

* Anderſon, vol. iv. part ii. p. 8, 25. Goodal, vol. ii. p. 97. 107.

manner

manner with a guilt ſo prejudicial to her reputation: He aſked them how they would apologize to their King, when he was arrived at manhood, for an accuſation ſo bold and inſolent in itſelf, and ſo injurious to his own honour, to that of his mother, and to that of the Scottiſh nation. He told them, that for his part, he thought it prudent to wave altogether this ſcandalous impeachment, unleſs the Queen of England would enter with them into a league offenſive and defenſive, to ſuſtain and juſtify their proceedings. He added, that he had thrown out theſe hints not merely as proper for him in his character of ſecretary for Scotland, but as due from the friendſhip which he bore to them. There enſued a deep ſilence, and an expreſſive conſternation *. Book IV. 1568.

The commiſſioners of the Queen of Scots detail their complaints to the commiſſioners of Elizabeth.

It was obſerved by the duke of Norfolk, that it was their duty to proceed according to the commiſſions which had brought them together. A proteſtation was entered by Mary's commiſſioners, that their appearance in her cauſe ſhould not infringe her rights as a free princeſs, nor affect the independency of the Scottiſh crown. A counter proteſtation was made by the commiſſioners of Elizabeth, that her claims of ſuperiority over Scotland ſhould continue upon their antient foundation. An oath to act with uprightneſs and ſincerity, and according to the ſtrict rules of equity and juſtice, was adminiſtered to, and taken by all the commiſſioners. The deputies of the Queen of Scots were now called to make known their complaints. They ſaid that the earls of Morton, Marre, and Glencairn, and the lords Hume, Lindſay, Ruthven, Semple, Cathcart, and Ochiltree, with their friends, had aſſembled a great army, proclaiming it to be 8th October.

* Camden, p. 412.

their

Book IV. 1568. their purpoſe to give relief to the Queen; that they oppoſed her with this force between her caſtles of Dunbar and Edinburgh, took her a priſoner, and committed her to the fortalice of Lochlevin; that they poſſeſſed themſelves of her mint, intromitted with her gold and ſilver, coined and uncoined, and paſſing to Stirling, put the crown upon the head of her infant ſon; that James earl of Murray aſſumed the title of Regent, uſurped the ſupreme authority in the name of the prince, and ſeized not only her places of ſtrength and military ſtores, but her jewels, and the royal patrimony, as well property as caſualty; that when the mercy of Almighty God had relieved her from the cloſe confinement in which ſhe had remained during eleven months, ſhe made an open declaration at Hamilton, under a ſolemn oath, that the writings ſubſcribed by her while in cuſtody, were altogether againſt her will, and executed under the terrors of death; that ſhe had yet, from the love of order, and affection to her realm, propoſed an amicable concluſion of differences by the earls of Argyle, Eglington, Caſſilis, and Rothes; but that her adverſaries rejecting her overtures, invaded her on the road to Dunbarton, overthrew her forces, and proceeded againſt her ſubjects and friends as if they had been legal enemies; and that ſuffering under theſe and other atrocious injuries, ſhe had been compelled to take refuge in England, to ſeek from her deareſt ſiſter the aſſiſtance of an amity repeatedly proffered to her, and to rely upon it for her reſtoration to her throne, and for the eſtabliſhment of the tranquillity of her kingdom *.

* Anderſon, Collections, vol. iv. p. 52. Goodal, vol. ii. p. 128.

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The guarded and ſuſpicious conduct of the Regent.

His doubts and ſcruples.

Theſe accuſations were an alarming introduction to the buſineſs in which the Regent had embarked; and notwithſtanding the encouragement ſhown to him by Elizabeth, he was aſſailed with apprehenſions. The artifices of Maitland added to his alarms. Inſtead of proceeding inſtantly to defend himſelf, or to accuſe the Queen, he ſought permiſſion to relate his doubts and ſcruples to the Engliſh commiſſioners. In his own name, and with the concurrence of his aſſociates, he demanded to know whether they had ſufficient authority from Elizabeth to pronounce, in the caſe of murder, guilty or not guilty, according to the evidence that ſhould be laid before them; whether they would actually exerciſe this power; whether in the event of her criminality their ſovereign ſhould be delivered to him and his friends, or detained in England in ſuch a way, as that no danger ſhould enſue from her activity; and whether upon her conviction, the Queen of England would allow his proceedings, and thoſe of his party to be proper, maintain the government of the young King, and ſupport him in the regency in the terms of the act of parliament, which had confirmed him in that office. To theſe requiſitions it was anſwered, upon the part of the Engliſh deputies, that their commiſſion was ſo ample, that they could enter into and proceed with the controverſy; and that they had liberty to declare, that their ſovereign would not reſtore the Queen of Scots to her crown, if ſatisfactory proofs of her guilt ſhould be produced; but that they knew not, and were not inſtructed to ſay, in what manner ſhe would finally conduct herſelf as to her perſon and puniſhment. With regard to the ſovereignty of the prince, and the regency of the earl of Murray, they were points, they obſerved, which might be canvaſſed in an after period.

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These replies did not please the Regent and his associates; and they requested the English commissioners to transmit their doubts and scruples to be examined and answered by Elizabeth *.

He gives an answer to the complaints of the commissioners of the Queen of Scots.

But while the Regent discovered in this manner his apprehensions, he yet affirmed, that he was able to answer the charges imputed to him and his faction; and this being in a great measure a distinct matter from the controversy of the murder, he was desired to proceed in it. It was contended that Bothwel, who had the chief concern in the murder of lord Darnley, possessed such credit with the Queen, that within three months after that horrible event, he seized her person, and led her captive to Dunbar, obtained a divorce from his wife, and married her; that the nobility being moved with his crimes, did confederate to punish him, to relieve her from the tyranny of a man who had ravished her, and who could not be her husband, and to preserve the life of the prince; that having taken arms for these purposes, the earl marched against them, but that proposing to decide the quarrel by single combat, his challenge was accepted; that he declined, notwithstanding, to enter the lists, and fled; that the Queen preferring his impunity to her own honour favoured his escape by going over to the nobility; that they conducted her to Edinburgh, where they informed her of the motives of their proceedings, requested her to take the proper steps against him and the other regicides, and entreated her to dissolve her pretended marriage, to take care of her son, and to consult the tranquillity of her realm; that this treatment being offensive to her, she menaced

* Haynes, p. 478, 479, 480. Anderson, Collections, vol. iv. p. 55. Goodal, vol. ii. p. 130. 132. 137, 138.

them

them with vengeance, and offered to ſurrender her crown, if they would permit her to poſſeſs the murderer of her huſband; that her inflexible mind, and the neceſſities of the ſtate, compelled them to keep her at a diſtance from him, and out of the way of a communication with his adherents; that during her confinement, finding herſelf fatigued with the troubles of royalty, and unfit for them from vexation of ſpirit, and the weakneſs of her body * and intellect, ſhe freely and of her own will reſigned her crown to her ſon, and conſtituted the earl of Murray to the Regency; that the King accordingly had been crowned, and Murray admitted to the Regency; that the ſanction of the three Eſtates aſſembled in parliament having confirmed theſe appointments, an univerſal obedience of the people had enſued, and a ſteady adminiſtration of juſtice had taken place; that certain perſons, however, envious of the public order and peace, had brought her out of priſon, and had engaged to ſubvert the government; that they had been diſappointed in their wicked attempts; and that it was moſt juſt and equitable that the King and the Regent ſhould be ſupported in power, in oppoſition to a rebellious and turbulent faction †.

* The Queen ſubſcribed the inſtrument demitting her crown, upon the 24th day of July, 1567, and upon the 15th day of Auguſt thereafter ſhe was viſited at Lochlevin by the earl of Murray. In a converſation he held with Sir Nicholas Throgmorton upon this remarkable viſit, he ſpoke to this ſtateſman of her health. "The ſaid earl, ſays "Throgmorton, declared unto me, that he never ſaw the "Queen in better health, nor in better point." Letter to Queen Elizabeth, 20th day Auguſt, 1567, ap. Keith, p. 447.

† Anderſon, Collections, vol. iv. p. 64. 79. Goodal, vol. ii. p. 144. 148. Crawfurd, Memoirs, p. 81.

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They defend their miſtreſs.

This apology, ſo imperfect, ſo impudent, and ſo irreconcileable with hiſtory, received a complete confutation from the deputies of the Queen of Scots. To take arms againſt her becauſe Bothwel had her favour, was, they ſaid, a lame juſtification of the earl of Murray and his friends; ſince it had never been properly manifeſted to her that he was the murderer of her huſband. He had indeed been ſuſpected of this crime, but had been tried by his peers and acquitted. His acquittal had been ratified in parliament, and had obtained the expreſs approbation of the party, who were now ſo loud in accuſing him, and who had conſpired againſt her authority. Theſe rebels had even urged her to accompliſh her marriage with him, had recommended him as the fitteſt perſon to govern the realm, and had ſubſcribed a bond, aſſerting his innocence, and binding themſelves to challenge and puniſh all his adverſaries and opponents. They had never either before or after the marriage, like true ſubjects, advertized the Queen of his guilt, till having experience of their ſtrength, they ſecretly took arms, and inveſted her in Borthwick caſtle. The firſt mark of their diſpleaſure was the ſound of a trumpet in hoſtility, and the diſplay of warlike banners. She made her eſcape to Dunbar; and they returning to Edinburgh, levied troops, iſſued proclamations, took the field againſt her under the pretence of delivering her from his tyranny, and got poſſeſſion of her perſon. She was willing to prevent the effuſion of blood, and was very far from preferring his impunity to her honour. Kircaldy of Grange, in obedience to inſtructions from them, deſired her to cauſe him to retire, and invited her to paſs to them under the promiſe of being ſerved and obeyed as their ſovereign. She conſented, and Kircaldy taking Bothwel

Bothwel by the hand, recommended it to him to depart, and assured him that no man would pursue him. It was by their own contrivance that he fled; and it was in their power to have taken him; but they shewed not the smallest desire to make him their prisoner. He remained too for some time in the kingdom, and was unmolested by them; and it was not till he was upon the seas, that they affected to go in search of him. When she surrendered herself in the sight of their army, the earl of Morton ratified the stipulations of Kircaldy, made obeisance to her in their names, and promised her all the service and honour which had ever been paid to any of her predecessors. They were not slaves, however, to their engagements. They carried her to Edinburgh, but did not lodge her in her palace. She was committed to the house of a burgess, and treated with the vilest indignities. She indeed broke out into menaces, and threatened them; nor was this a matter either of blame or of wonder. But it was utterly false that she had ever made any offer to give away her crown, if she might possess Bothwel. In the midst of her sufferings she had even required them by secretary Maitland to specify their complaints, and besought them to allow her to appear in parliament, and to join and assist in seeking a remedy to them from the wisdom of the three Estates. This overture, however, so salutary and so submissive, they absolutely rejected. They were animated by purposes of ambition, and had not in view a relief from grievances. They forced her from her capital in the night, and imprisoned her in Lochlevin; and there, they affirm, being exhausted with the toils of government, and the languors of sickness, she without constraint or solicitation, resigned her crown to her son, and appointed

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Book IV. the earl of Murray to be Regent during his minority. This indeed was to aſſume an unlimited power over facts; but the truth could neither be concealed, nor overturned, nor palliated. She was in the vigour of youth, unaſſailed by maladies, and without any infirmity that could induce her to ſurrender the government of her kingdom. Nor was it unknown to them that the earl of Athol and the barons Tullibardin and Lethington, principal men of their council, diſpatched Sir Robert Melvil to her with a ring and preſents; with a recommendation to ſubſcribe whatever papers ſhould be laid before her, as the only means in her power to ſave her life; and with an aſſurance that what ſhe did under captivity could not operate any injury to her. Melvil too communicated to her an intimation in writing from Sir Nicholas Throgmorton, which gave her the ſame advice, and the ſame aſſurance. To Sir Nicholas Throgmorton ſhe ſent an anſwer, informing him that ſhe would follow his counſel, and enjoining him to declare to his miſtreſs her hapleſs ſtate, and that her reſignation of her crown was conſtrained. Nor did this ambaſſador neglect her commiſſion; and it was a popular perſuaſion that Elizabeth would have marched an army to her relief if ſhe had not been intimidated by the threat of the rebels, that the blood of the Queen of Scots would be the wages of her ſoldiers. It was alſo not to be contradicted, that when the lord Lindſay preſented to his ſovereign the inſtruments of reſignation, he menaced her with a cloſer priſon, and a ſpeedy death, if ſhe ſhould refuſe to ſubſcribe them. It was under an extreme terror, and with many tears, that ſhe put her name to them. She did not conſider them as her deeds, did not read them, and proteſted

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that

that when ſhe was at liberty ſhe would diſavow ſubſcriptions which had been extorted from her. Even Douglas, the keeper of Lochlevin, could not endure to be a witneſs of the violence employed againſt her. He departed out of her preſence, that he might not ſee her ſurrender her rights againſt her will; and he ſought and obtained from her a certificate, that he was not acceſſory to this compulſion and outrage. Nor did it conſiſt with the ſlighteſt probability or reaſon, that ſhe would of her own will and accord, execute a reſignation of her royal eſtate, and retain no proviſion for her future maintenance. Yet by theſe extraordinary deeds, the condition to which ſhe was reduced was moſt miſerable and wretched. For no portion whatever of her revenue was reſerved to her, and no ſecurity of any kind was granted either for her liberty or her life. As to the coronation of the prince, it could have no validity, as being founded in a pretended and unreal reſignation. It was alſo defective in its form; for there were in Scotland more than an hundred earls, biſhops, and lords; and of theſe the whole, or at leaſt the major part, ought to concur in matters of importance. Now there did not aſſiſt in it more than four earls, ſix lords, one biſhop, and two or three abbots. Proteſtations too were openly made, that nothing tranſacted at that period ſhould be any prejudice to the Queen, her eſtate, and the blood royal of Scotland. Neither could it be rightly conceived that, if the Queen had willingly ſurrendered her dignities, ſhe would have named the earl of Murray to the Regency in preference to the duke of Chatellerault, who had a natural and proper claim to it, and who had deſerved well of his country by diſcharging that high office during her minority.

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Book IV. 1568. As to the ratification of the inveſtiture of the young prince, and the Regency of the earl of Murray by the Eſtates, it was obſervable that this was done in an illegal parliament. It was an invalid confirmation of deeds, which in themſelves had no inherent power or efficacy. The principal nobility too objected in this parliament to this ratification. Proteſtations were made before the lords of the articles, as well as before the three Eſtates, to interrupt and defeat tranſactions which were in a wild hoſtility to the conſtitution and the laws. Neither was it true that the government of the King and the Regent was univerſally obeyed, and adminiſtered with equity and approbation. For a great diviſion of the nobility never acknowledged any authority but that of the Queen, and never held any courts but in her name; and it was notorious that the adminiſtration of the uſurpers had been marked and diſtinguiſhed by enormous cruelties and oppreſſions. Many honourable families and loyal ſubjects had been perſecuted to ruin, and plundered of their wealth to gratify the retainers and ſoldiers who upheld this inſolent domination; and murder and bloodſhed, theft and rapine were prevalent to a degree unheard of for many ages. Upon all theſe accounts it was inferred that Elizabeth ought to ſupport the Queen of Scots, to reſtore her to her crown, and to overthrow the power of a moſt unnatural and rebellious faction *.

Secret tranſactions between the duke of Norfolk, Lethington, and the Regent.

To this detail of facts the Regent did not pretend to offer any objection. He was required by the Engliſh commiſſioners to produce ſounder and better reaſons than thoſe he had aſſigned for his ſeverity to the Queen of Scots. But he al-

* Anderſon, Collections, vol. iv. p. 80. 91. Goodal, vol. ii. p. 162. 170.

lowed

lowed the charges of treaſon and uſurpation to be preſſed againſt him without preſuming to defend himſelf. No contradiction was given to them, and no apology was made for him. Yet his fears to proceed in the accuſation of the Queen, for the murder of her huſband, ought not naturally to have prevented him altogether from the juſtification of his political meaſures. This was to yield to her the victory without a ſtruggle, and to allow the full enormity of his guilt. He ought of conſequence to have dreaded the anger and the juſtice of Elizabeth; and it is certain that the deputies of Mary had lively hopes of his degradation and puniſhment. The conſciouſneſs of his crimes, and of the weakneſs of his proofs againſt the Queen, are inſufficient to explain this peculiarity in his ſituation; and in fact there were other motives which had weight with him. For ſoon after his arrival at York, he had been involved in ſecret intrigues by the duke of Norfolk and Maitland of Lethington. It is by attending to theſe, that a ſtrain of conduct apparently ſo reſerved, ſo timid, and ſo imprudent, is to be fully accounted for; and they were the ſource of other, and memorable tranſactions and events.

The duke of Norfolk was a zealous partizan for the ſucceſſion of Mary to the Engliſh crown. The diſputes and jealouſies of the two Queens were a ſubject of ſincere regret and apprehenſion to him. He was ſtrongly poſſeſſed with the opinion, that his miſtreſs, while ſhe was diſpoſed to gratify her animoſity and jealouſies againſt the Queen of Scots, was ſecretly reſolved, by fixing a ſtain upon her, to exclude her altogether from the ſucceſſion, and to involve her ſon in her diſgrace. He was eager to defeat a purpoſe, which he conceived to be not only unjuſt in itſelf, but

The duke of Norfolk is friendly to the Queen of Scots.

The Regent enters into an agreement with him not to accuſe her.

Book IV. 1568. highly detrimental to his country. It was in his power to act with this view; and he obſerved with pleaſure that Maitland of Lethington was favourable to Mary. To this ſtateſman, accordingly, he ventured to expreſs his ſurprize that the Regent could be allured to think of an attempt ſo blameable as that of criminating his ſovereign. If Mary had really given offence by miſcarriage and miſtakes, it yet was not the buſineſs of a good ſubject induſtriouſly to hold her out to ſcorn. It was wiſer and better, he ſaid, to throw a veil over her infirmities; and, at any rate, a reſpect was due to her ſon. His rights might be wounded through her; the proſpect of uniting the two kingdoms would be deſtroyed; and a foundation be laid for endleſs diſorders and calamity. Maitland applauded highly the liberality of his ſentiments. They opened themſelves to the Regent. They told him, that a gentle and guarded behaviour might ſtill recommend him to Mary, and that ſeverity and rigour would inflame all her paſſions. After alarming his fears, they touched upon the inſincerity of Elizabeth; and the duke of Norfolk gave him the moſt ſolemn aſſurance, that ſhe did not mean to paſs ſentence upon Mary, although her guilt ſhould be proved. This information correſponded with the treaty which Elizabeth had negociated with Mary by lord Herries, and operated in a forcible manner upon the Regent. For the terms of that agreement had been often and ſtrongly preſſed upon him by the friends of the Queen of Scots *. He ſuſpected, that after he had been employed to blaſt her reputation, he would be ſacrificed to her fury. He knew the

* Murdin, p. 179. Anderſon, Collections, vol. iv. p. 45. Goodal, vol. ii. p. 136.

candour

candour and power of the duke of Norfolk, and confided in him. He was well acquainted with the abilities of Maitland, and did not wiſh to break with him. Anxious and repeated conferences were held by them; and at length it was formally agreed, that the Regent ſhould not accuſe the Queen of Scots; and that the duke in return ſhould protect him in the favour of Elizabeth, and ſecure him in the poſſeſſion of his Regency *. Book IV. 1568.

The Regent communicates privately his proofs to the duke of Norfolk and the Engliſh commiſſioners.

But while the Regent engaged himſelf in this intrigue with the duke of Norfolk, he was deſirous notwithſtanding of gratifying the reſentments of Elizabeth, and of advancing his own intereſts by undermining ſecretly the fame and reputation of his ſovereign. He inſtructed Maitland, George Buchanan, James Macgill, and John Wood to go to the duke of Norfolk, the earl of Suſſex, and Sir Ralph Sadler, and to communicate to them as private perſons, and not in their character of commiſſioners, the letters to Bothwel, and the other proofs upon which he affirmed the guilt of the Queen of Scots. It was his deſire that they would examine theſe papers, give their opinion of them to Elizabeth, and inform him whether ſhe judged them ſufficient evidences of Mary's concern in the murder of her huſband. If this ſhould be her opinion, he teſtified his own readineſs, and that of his aſſociates, to ſwear that the papers were genuine, and of the hand-writing of the Queen. By this operation he was ſolicitous to eſtabliſh his vouchers as inconteſtible, and as teſtimonies of record. The commiſſioners examined his papers, and heard the comments of Buchanan and

* Camden, p. 414. Melvil, Memoirs, p. 189, 190. Crawfurd, Memoirs, p. 95, 96.

his

Book IV. 1568. his other aſſiſtants; but they do not ſeem to have beſtowed the fulleſt credit upon them. They deſcribed them, however, to Elizabeth, pointed out the places of them which were ſtrongeſt againſt Mary, and allowed that their force and meaning were indeed very great, if their genuineneſs could be demonſtrated. But of their genuineneſs they acknowledged that they had no other evidence than ſtout aſſertions, and the offer of oaths. Elizabeth, who received their diſpatches, did not think it expedient to empower them to adopt a method of proof ſo palpably ſuſpicious, and in which ſhe could not openly concur, without groſsly violating even the appearance of probity. The Regent had before attempted to engage her in a direct aſſurance of the validity of his papers, when he ſubmitted copies of them to her inſpection by his ſecretary Mr. Wood. His attempt at this juncture was of a ſimilar kind; and it could not recommend him to the Engliſh commiſſioners. To affect to have vouchers of the criminality of his Queen, to offer to prove their authenticity by his own oath, and by the ſwearing of his confederates and dependents, to be zealous by this impoſition to exalt them into records unimpeachable and above contradiction, and to be induſtrious to wave and preclude the danger and the conſequences of a public and candid inveſtigation and inquiry into them, were circumſtances of too obvious an import, and too expreſſive of his fears and perturbation, to be paſſed without notice or obſervation. For the ſake of their Queen they were intereſted indeed, not to employ them to his prejudice; but they could not fail to mark to them the character of the man; and when compared with the tenor of his paſt conduct, when conſidered with a view to his future proſpects, and

when

when ſurveyed in connexion with the machinations of their miſtreſs, they muſt have forced a tender compaſſion and ſympathy into their minds, for that peculiarity of fate and of wretchedneſs which preſſed upon the Scottiſh Queen, which diſcovered to them her honour, while they were inſtructed to cover her with ſhame; which held out to them the guilt of her adverſaries, while they dared not to expoſe it; and while an inſolent and ſanguinary power over awing the voice and the claims of juſtice, humanity, and law, was inclined to leave her innocence and her fame an unguarded prey to a profligate ambition, an inordinate ſelfiſhneſs, and the outrage of calumny *.

A match is projected between Mary and the duke of Norfolk.

Nor were theſe the only tranſactions which took place during the continuance of the commiſſioners at York. The inventive and refining genius of Lethington had ſuggeſted to him a project, which he communicated in confidence to the biſhop of Roſs. It received the warm approbation of this eccleſiaſtic, and they determined to put it to a trial. While they attended the duke of Norfolk to the diverſion of hawking, they inſinuated into him the notion of his allying himſelf with the Queen of Scots. Her beauty, her accompliſhments, and her kingdom were high allurements to this nobleman; and as he was the greateſt ſubject of England, and perhaps of Europe, he ſeemed not to be unworthy of them. The propoſal was very flattering to the admiration he entertained of Mary, to his ambition, and to his patriotiſm. The more he thought of it, he was the more convinced of its propriety. His acceſs to be informed of the

* Anderſon, Collections, vol. iv. p. 58. 63. Goodal, vol. ii. p. 134. 138.

practices

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practices of the Regent; deſtroyed in him the operation of thoſe ſlanders by which her enemies were ſo active to traduce her. Lethington could here afford him the moſt explicit intelligence; and this cameleon of the ſtate it is probable, embraced the opportunity of putting a final period to any ſuſpicions he might harbour. In this ſtate of his mind, the lady Scroop, his ſiſter, who reſided at Bolton Caſtle with Mary, compleatly confirmed his reſolution. For from her he learned the orderly carriage and the amiable diſpoſitions of the Queen of Scots. He was now impatient to have a fit ſeaſon to make her formally the offer of his hand *.

The diſappointment of Elizabeth.

Elizabeth, in the mean time, was thrown into confuſion by the refuſal of the Regent to accuſe the Queen of Scots. To give a poſitive and favourable anſwer to his doubts and ſcruples did not conſiſt with her honour; and without this condeſcenſion, ſhe was aſſured that the Scottiſh deputies would not exhibit their charge or crimination. The duke of Norfolk in his letters to the Engliſh miniſtry even repeatedly deſired them to judge of the Regent and his aſſociates as they would judge of themſelves in the ſame ſituation; to conſider that they played at a deep game; and that their ſtake was not leſs than their lives, their goods, and their lands. He thus preſſed a declaration from Elizabeth, which he was confident that ſhe would not grant; and by urging ſtrongly the determination of the Regent and his aſſociates he thought to diſpoſe her to pacific meaſures. The Regent, Lethington, and the biſhop of Roſs concurred with him in this opinion; and they all expected impatiently that a period would be put to the conferences at

She evokes the cauſe of Mary from York to London.

* Camden, p. 419. Spotſwood, p. 225.

York, and to any farther proſecution of the trial of the Queen of Scots. Elizabeth, however, diſappointed their expectations. Although ſhe avoided to give an anſwer to the Regent's doubts and ſcruples, ſhe was not inclined to drop the proceedings againſt Mary. Under a pretence of the great diſtance of York from her capital, and of the time that was loſt by the ſlow intercourſe of letters, ſhe inſtructed her commiſſioners to call the ſuit to London; and ſhe commanded them in managing this point, to beware of affording any ſuſpicion of intended ſeverity againſt the Queen of Scots; but, on the contrary, to encourage a report that meaſures were in agitation to reſtore her to her crown, and to conſult the ſecurity of the prince her ſon, and of the nobles who adhered to him *. Book IV. 1568.

The candour of the Queen of Scots.

Mary began to be elated with the hope of her reſtoration to her kingdom. Her deputies had aſſured her that her ſufferings would be ſoon at an end. She addreſſed a letter to Elizabeth, expreſſing the happineſs ſhe felt in the removal of her cauſe to London. It would now, ſhe ſaid, be in the ableſt management, and in the hands where ſhe deſired it moſt; and ſhe entreated her to put a ſpeedy period to her troubles, and to bind her for ever in the ties of affection and gratitude †. While Mary was thus attentive to Elizabeth her deputies were not wanting in activity and diligence. The lords Herries and Boyd, the biſhop of Roſs and the abbot of Kilwinning upon their arrival at London ſolicited an audience of Elizabeth, and were received not only with reſpect, but with kindneſs. She told them, that the adverſaries of their

The duplicity of Elizabeth.

* Goodal, vol. ii. p. 171, 172. † Anderſon, Collections, vol. iv. p. 95, 96. Goodal, vol. ii. p. 178.

Queen

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Queen were very far from vindicating themſelves in a ſatisfactory manner; that they ought to acknowledge their offences with humility; and that as ſhe meant to employ her intereſt with Mary to forgive them, it was her hope, that their future loyalty would atone for their paſt tranſgreſſions. She added, that ſhe propoſed to join ſome lords of her council with her former commiſſioners; and that then proceeding in the treaty or conference, ſhe would demand of the Regent, if he had any thing farther to advance in his defence. They applauded the friendly offices ſhe intended, were earneſt with her to carry them into execution, and urged her to terminate the unnatural diſturbances of the Queen of Scots and her ſubjects by a perfect and laſting union. This, they ſaid, was a matter completely in her power; for as no other prince had interfered with the adverſaries of their miſtreſs, they were altogether dependant upon her. The crimes committed againſt their ſovereign had indeed been very heinous; but they, notwithſtanding, undertook for her, that ſhe would not be deficient in the virtue of clemency; and that ſhe would concur and agree in concluding an accommodation or treaty for the peace and tranquillity of the two kingdoms, upon conditions that were conſiſtent with equity and her honour *.

She pays court to the Regent, who agrees to, break his engagement with the duke of Norfolk.

While Elizabeth was thus deceiving Mary and her deputies, ſhe was active to gain the Regent to yield without reſerve to her views. Although ſhe had refuſed to admit the Queen of Scots to her preſence, ſhe ſcrupled not to take a pleaſure in beſtowing upon him this high mark of diſtinction. By her diſcourſe, her aſſiduities, and

* Leſly, Negociations, ap. Anderſon, vol. iii. p. 25, 26.

flattery

flattery he underſtood the paſſion with which ſhe expected the favour of his accuſation againſt Mary. Her miniſters addreſſed him more roundly upon this ſubject, and even admoniſhed him, that ſhe was infinitely diſappointed and diſpleaſed with the lameneſs of his vindication of himſelf; and that it was altogether vain for him to imagine he could continue to enjoy her friendſhip, or the aid of her power, if he ſhould perſiſt obſtinately in his refuſal to impeach his ſovereign. They pointed out his precarious right to the regency, ſet in oppoſition to it the preferable claim of the duke of Chatellerault, and in language ſufficiently perſpicuous intimated his downfal and diſgrace if he complied not with the humour of their miſtreſs. The earl of Morton and his aſſociates were aſtoniſhed and alarmed with a delicacy which they could not comprehend, and which might expoſe them to ſcorn or puniſhment. They were, accordingly, not leſs zealous in urging him to prefer the accuſation; and the diſcovery of the cauſe of his myſteriouſneſs augmented their zeal and apprehenſions. The duke of Norfolk had communicated to the Queen of Scots the agreement he had made with the Regent. She revealed it to a confident, who betraying her, gave the intelligence to the earl of Morton. This nobleman enraged that the Regent ſhould have entered into any combination without conſulting him, complained to the lord Lindſay and the other Scottiſh deputies. They determined to carry the diſcovery to ſecretary Cecil, and to leave nothing unattempted to break a compact in which no proviſion had been made for their ſecurity. Accordingly, the Regent did not long reſiſt their united efforts. Upon the part of Elizabeth he received information that all his doubts and ſcruples ſhould be amply ſatisfied.

Book IV. 1568.

tisfied. He accordingly abandoned Norfolk, and conſented to prefer the charge of adultery and murder againſt the Queen of Scots. In the midſt of theſe dark and iniquitous tranſactions, Elizabeth ſuſpecting that the lord Scroop the brother in law to Norfolk was privy to his deſign, and might favour Mary in eſcaping to Scotland, formed a reſolution to take an early opportunity to remove her from Bolton to Tutbury *.

Mary takes an alarm at the partiality of Elizabeth, and requires her to be juſt and impartial.

The hope with which Mary had flattered herſelf of the termination to her troubles from the juſtice of Elizabeth did not laſt long. The admiſſion of the Regent to the preſence of the Engliſh princeſs deſtroyed it altogether, and was an intimation, that inſtead of equity and favour ſhe might expect ſeverity and injuſtice. Under the alarm into which ſhe was thrown by this information, ſhe opened her ſentiments in a new commiſſion to her deputies. She expreſſed to them her diſtruſt of the promiſes of Elizabeth, and her apprehenſion that her ſiſter had other motives in view than her reſtoration to her crown, and a good appointment between her and her ſubjects. She told them, that to give a welcome to the Regent and to confer with him, while ſhe refuſed this diſtinction to her who was a free princeſs, was in effect to take a ſide, and to pronounce judgment by anticipation. It was at the ſame time, a mortifying inſult to her, and an open mockery of juſtice. She ſaid, that from this colluſion, it might happen that heads of complaint and accuſation might be preferred againſt her, to which they were not prepared to reply, and which ſhe could beſt refute in her own perſon. That ſhe might not, therefore, ſuffer from a manifeſt partiality, ſhe deſired them to apply to Elizabeth

22 Novem.

* Haynes, p. 487, 488. Goodal, vol. ii. p. 179. 181.

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for a liberty of defence as free as that liberty of accuſation which had been granted to her enemies; and to requeſt, that ſhe might be permitted to appear in perſon before the Engliſh Queen, her nobility, and the ambaſſadors of foreign nations. If a requiſition in every reſpect ſo equitable ſhould be denied to her, ſhe commanded them to proteſt, that all circumſtances whatſoever to be propoſed and advanced to her prejudice ſhould be of no force or credit. She repreſented it as not merely conducive to her own ſecurity, but as even honourable to the Queen of England herſelf, that as much reſpect, at leaſt, ſhould be ſhewn to her as to her adverſaries. She inſtructed them to inform Elizabeth, that in the commencement of the preſent negociation, and during its progreſs there were palpable evidences that her rebels had been ſupported and maintained againſt her; and ſhe commanded them to call to the remembrance of this princeſs that all her fair promiſes and demonſtrations of reſpect and kindneſs had been uniformly infringed and violated *. Book IV. 1568.

It was not poſſible for Elizabeth to evade the power and the meaning of this commiſſion by Mary to her deputies without concealing from them her real intention and purpoſes. She amuſed them, accordingly, with expreſſions of amity and attention; and they underſtood that ſhe was actually diſpoſed to proceed to a cordial and friendly concluſion of the differences between the Queen of Scots and her ſubjects. Upon this ground they waited impatiently the approach of the conference. By Sir Ralph Sadler, Elizabeth intimated her deſire, that they would paſs to Weſtminſter to continue the negociations which had been be-

Elizabeth amuſes the deputies of the Queen of Scots, and informs them, that ſhe means not to caſt a ſtain upon the honour of their miſtreſs.

* Public Papers, ap. Goodal, vol. ii. p. 185.

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gun at York. Upon this notice they demanded an audience, and expreſſed themſelves to her with an exactneſs which they hoped could neither be miſunderſtood, nor miſrepreſented. They ſaid, that in reſpect their miſtreſs was an independant princeſs, they could not agree to hold the conference in a place where any civil or criminal ſuit had been tried. They reminded her, that ſhe herſelf had aſſured Mary by a ſpecial writing *, that ſhe would never proceed againſt her judicially; that ſhe would not permit rebels to prefer accuſations againſt their ſovereign prince; and that it was not becoming or proper, that the Queen of Scots ſhould ſo far degrade herſelf as to anſwer the charges of a ſubject. In fine, they declared it to her anew, that as ſhe had admitted the earl of Murray and his adherents to her preſence, and had heard from them reproaches and calumnies againſt their miſtreſs, ſhe ought from reaſon and equity to hear her in her own perſon, in her own defence. Elizabeth liſtened to them with attention, allowed them to indulge the friendly expectations ſhe had excited, and told them definitively, that the conference ſhould be held in a chamber where no ſentence or judgment had been ever pronounced; that nothing was farther from her mind than to proceed in a judicial form; and that the honour of their Queen ſhould in no ſort be touched or affected †.

The commiſſioners meet at Weſtminſter. 25 Novem.

To her former commiſſioners Elizabeth added Sir Nicholas Bacon lord keeper of the great ſeal, Henry earl of Arundel, Robert earl of Leiceſter, Edward lord Clinton, and Sir William Cecil her principal ſecretary of ſtate. This doubtleſs proceed-

* "Be ſpecial writingis ſent to the Quenis majeſtie thair "ſoveragne, of the dait the threttie day of June, anno "1568." Goodal, vol. ii. p. 188. † Public Papers, ap. Goodal, vol. ii. p. 187. 189.

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ed from her ſuſpicion of the favour which the duke of Norfolk had manifeſted to the Scottiſh Queen. She was determined not to be diſappointed a ſecond time; and as ſhe knew that Bacon and Cecil were inveterate enemies to Mary, ſhe expected to be fully gratified by their management and addreſs. The conference opened in the great chamber at Weſtminſter. The commiſſions of the deputies were produced and approved. A proteſtation by the deputies of Mary in the tenor of the declarations they had made to Elizabeth, announced the ſenſe and meaning in which they underſtood the negociation. It was ſolemnly heard, and formally admitted. An oath to deal plainly, ſincerely, uprightly, and directly, was adminiſtered to all the commiſſioners, and taken by them. The proceedings at York were detailed, and adhered to. It was now proper to advance in the treaty. The earl of Murray was informed that the defence made by him and his aſſociates to the complaints of the deputies of the Queen of Scots, was imperfect; and he was deſired to ſay, whether he had any ſtronger arguments to urge in his behalf. He repeated the doubts and ſcruples which had been expreſſed by him at York, and which had been tranſmitted to Elizabeth. The Engliſh commiſſioners in the name of their ſovereign gave an anſwer to theſe doubts and ſcruples. They told him that their powers of enquiry and treaty were very ample, as he might obſerve by the words of their commiſſion; that they would immediately report the reſult of their ſcrutiny to Elizabeth; that ſhe would proceed without delay to notify, and to pronounce the truth whatever it ſhould be; that if it ſhould be found that the Queen of Scots was concerned in the murder of her huſband ſhe would either be delivered into the hands of the

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Elizabeth gives a ſatisfactory anſwer to the doubts and ſcruples of the Regent.

Book IV. 1568. earl of Murray under a ſecurity of ſafety and good uſage, or be detained in England in ſuch a way as that neither the prince nor the Regent ſhould be in any danger from her; that in the event of the proof her guilt, Elizabeth would allow the proceedings of the earl of Murray and his friends in ſo far as they accorded with the laws of Scotland previous to his attempts; that in the future ſhe would maintain the government of the prince and the regency of the earl of Murray, if it ſhould appear that they were authorized by the Scottiſh conſtitution; and that notwithſtanding theſe her reſolutions, ſhe meant not to ſcreen any perſon of either party, who ſhould be convicted of a participation in the death of the huſband of the Queen of Scots, but rather to be forward and active in effecting the condemnation and puniſhment due to ſo heinous a crime *.

Her artifice and duplicity. To the Regent who had previouſly concerted his plan of action with Elizabeth this reply appeared to be ſatisfactory. At the ſame time it was ſo guarded as to leave to her a pretence to hold him in fetters, if any circumſtances ſhould ariſe to induce her to forſake him. But while in its ſtrain and import it operated to the ends they had in view, it was in actual hoſtility to the apparent ſenſe of the intended negociation. The object of the conference was confeſſedly the ſettlement of the differences of the Queen of Scots and her ſubjects; but a foundation was thus laid for a meaſure that would neceſſarily preclude all poſſibility of their agreement or cordiality. Elizabeth had frequently declared that nothing would diſpleaſe her more than a crimination of her ſiſter, yet ſhe not only invited the Regent to

* Anderſon, Collections, vol. iv. p. 97. 113. Goodal, vol. ii. p. 189. 202.

take

take this ſtep, but compelled him to it. This was an extremity which Mary had uniformly been taught not to expect. Even an anxious care had been exerted to prevent her from preparing for it. From this management, therefore, and from the ſucceeding tranſactions it appears with an indubitable clearneſs, that the leading and chief purpoſe of Elizabeth was to effectuate an open and a public accuſation to the prejudice of the honour of the Queen of Scots. Book IV. 1568.

The Regent, though ſupported by the private aſſurances of Elizabeth, by this palpable encouragement, and by a favourable ſpeech from Sir Nicholas Bacon, could with difficulty reconcile himſelf to the part he had conſented to perform. Before he would venture to prefer his charge he entered a proteſtation to apologize for it. He ſaid, that the enterprizes in which he had been engaged for the purpoſe of puniſhing the regicides and of vindicating his country from the ſcandal of the murder of the late King, were a ſufficient teſtimony of his unwillingneſs, and of that of his friends to publiſh to ſtrangers the perpetual infamy of their Queen. Private affection and reaſons of ſtate had acted upon them with ſo commanding a force, that rather than ſtain her reputation they had been contented to allow by connivance the reports of the world, and to bear with the iniquity of being blazoned as traitors and rebels. The integrity of their motives and the juſtice of their quarrel had ſuffered in the greateſt degree from their moderation; yet in their moderation they would gladly continue, if it were conſiſtent with the ſafety of Scotland as a kingdom, and with the profeſſion of the true religion. If an exile for life of one or more of their number could redeem the virtue and the fame of their Queen, and take effect without

26 Novem. The Regent proteſts his unwillingneſs to accuſe the Queen of Scots.

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danger to the King or the ſtate, they would chearfully conſent to it. They could have no delight in her diſgrace, and had come with infinite reluctance to accuſe her of a moſt odious crime. Her own importunity, and that of her deputies who were not ſatisfied with the former anſwer given to her complaints, though they knew it to be true, had obliged them to embrace this moſt diſagreeable and humiliating expedient. It was in their own juſt defence that they were to proclaim her perpetual ſhame; and while they appealed to the influence of a controlling neceſſity for their excuſe, they deſired that all the blame of this meaſure ſhould be imputed to the Queen of Scots herſelf, and to her deputies *.

He preſents the accuſation againſt Mary to the Engliſh commiſſioners.

After inſiſting upon theſe pretences which are ſo indecently deceitful, the earl of Murray and his aſſociates preſented the accuſation againſt Mary. It was expreſſed in general and preſumptive terms. They affirmed that as James earl of Bothwel was the chief executor of the murder of King Henry, ſo the Queen was his perſuader and counſel in the device; that ſhe was a maintainer and a fortifier of this unnatural deed by ſtopping the inquiſition into it and its puniſhment, and by taking in marriage the principal regicide; that they had begun to exerciſe a cruel tyranny in the commonwealth, and had formed the reſolution to deſtroy the innocent prince, and to transfer the crown from the true line of its kings to a bloody murderer, and a godleſs tyrant; and that the Eſtates of the realm finding her unworthy to reign had ordered † her reſignation of the crown,

* Anderſon, Collections, vol. iv. p. 515. 118. Goodal, vol. ii. p. 203. 206. † It is ſomewhat ſtrange, that at York the earl of Murray and his company affirmed upon oath, that Mary's reſignation of the crown, and his nomination

crown, the coronation of her ſon, and the eſta- Book IV.
bliſhment of the regency of the earl of Mur- 1568.
ray *.

Before this remarkable accuſation was deliver- The earl of Lennox appears before the Engliſh commiſſioners.
ed to Mary's deputies, it was contrived that a new actor ſhould appear upon the ſtage. This was likewiſe a violation of the acknowledged purpoſe of the negociation; and its meaning was obviouſly to deepen the diſtreſſes of the Scottiſh Queen. The earl of Lennox preſented himſelf before the Engliſh commiſſioners, made a lamentable declaration of his griefs, and produced to them the letters which had paſſed between him and Mary, concerning the murder of the King, with a writing which contained a direct affirmation of her guilt †.

The deputies of Mary when the accuſation Mary's deputies act in her defence.
was given to them, were filled with aſtoniſhment and ſurprize. This meaſure infringed the true meaning of the conference, and was a violent contempt of the proteſtation they had offered to the Engliſh commiſſioners, and which had been allowed and accepted. It was underſtood that the crown, eſtate, perſon, and honour of the Queen of Scots were guarded againſt every aſſault and injury; yet in all theſe particulars ſhe was touched and affected. It was underſtood, that no judicial proceedings ſhould take place; yet ſhe was actually arraigned as a criminal; and her deputies were called upon to defend her. But while this treachery and circumvention were held

nomination to the regency were the acts of her free will; and that at Weſtminſter they aſſerted theſe upon oath to have been the reſult of a command, or order of the three Eſtates. See Anderſon, Collections, vol. iv. p. 67. 120.

* Anderſon, Collections, vol. iv. p. 119. 121. Goodal, vol. ii. p. 207. † Anderſon, Collections, vol. iv. p. 122. Goodal, vol. ii. p. 208.

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out in reproach to the Engliſh commiſſioners, the deputies of Mary diſcovered not any apprehenſion of the validity of the accuſation againſt her. They conſidered it as the unprincipled device of uſurpers and traitors. It was not, they ſaid, to puniſh the murderers of the King that the earl of Murray and his aſſociates had been induced to rebel. It was to poſſeſs themſelves of the ſovereign power. They had, accordingly, advanced themſelves to this greatneſs; and they could not think of renouncing it. They had profited ſo profuſely by the liberality of the Queen, that the neceſſities of the crown required a revocation of the royal property. Their wealth and eſtates might ſuffer by an act of revocation; and they were deſirous to retain them. They were in a deſperate ſtate; and had occaſion for a deſperate remedy. The only method by which they could compaſs the ruin of their ſovereign was by falſhoods and calumnies. They were not naturally accuſtomed to ſcruples; and by the audacious accuſation they had produced, they were intereſted to conceal their crimes, to retain their acquiſitions, to ſecure their lives, and to ſupport themſelves in the government of a kingdom.

They impute the King's murder to her adverſaries.

But while the deputies of Mary explained the motives which governed the earl of Murray and his faction in their angry charge againſt the Queen, they actually imputed to perſons among them the guilt of contriving the King's murder. They affirmed that her adverſaries were the accomplices of Bothwel; that they had ſubſcribed a bond conſpiring the death of the King; and that their guilt had been atteſted in the ſight of ten thouſand ſpectators by thoſe of their confederates who had already been executed. They exclaimed againſt the enormous ingratitude, and

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the unparalleled audacity of men, who could forget ſo completely all the obligations which they owed to their ſovereign; and who, not ſatisfied with uſurping her power, could even charge her with a murder which they themſelves had committed. They repreſented the ſtrong neceſſity which had ariſen for the fulleſt vindication of their miſtreſs; and they ſaid, that in ſo weighty an extremity they could not poſſibly ſuppoſe, that ſhe would be reſtrained from appearing in her own defence. They had her inſtructions, if her honour was touched, to make this requiſition; and till it was granted they inſiſted that all proceedings in the conference ſhould be at an end. A refuſal of this liberty in the ſituation to which ſhe was driven, would be an infallible proof that no good was intended to her. It was their wiſh to deal with ſincerity and uprightneſs; and they were perſuaded that without a proper freedom of defence, their Queen would neceſſarily fall a victim to partiality and injuſtice. They, therefore, earneſtly preſſed the Engliſh commiſſioners, that ſhe might be permitted to preſent herſelf before Elizabeth, the nobles of England, and the ambaſſadors of foreign nations, in order to manifeſt to the world the injuries ſhe had ſuffered, and her innocence *.

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After having made theſe ſpirited repreſentations to the Engliſh commiſſioners, the deputies of Mary deſired to have acceſs to the Queen of England. They were admitted, accordingly, to an audience, and in a formal addreſs or petition, they detailed what had happened, inſiſted that the liberty of perſonal defence ſhould

They aſk an audience of Elizabeth.

* Anderſon, Collections, vol. iv. p. 121, 133. Goodal, vol. ii. p. 209. 217.

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be allowed to their miſtreſs, and demanded, that the earl of Murray and his aſſociates ſhould be taken into cuſtody till they ſhould anſwer to ſuch charges as ſhould be preferred againſt them. She deſired to have ſome time to turn her thoughts to matters of ſuch high import, and told them that they might ſoon expect to hear from her *.

They make an overture to the earl of Leiceſter and Sir William Cecil.

The biſhop of Roſs and the other deputies of Mary, in the mean time, ſtruck with the perfidious management of the conference, convinced of the jealouſies and paſſions of Elizabeth, ſenſible that her power over her commiſſioners was unlimited, and anxious for the deliverance of their miſtreſs, made an overture for an accommodation to the earl of Leiceſter and Sir William Cecil. They propoſed, that the original meaning of the conference ſhould ſtill be adhered to, notwithſtanding the accuſation which had been preſented by the earl of Murray; and that Elizabeth diſregarding it, as an effort of faction, ſhould proceed to a good agreement between Mary and her ſubjects. For this ſcheme, which is ſo expreſſive of their ſuſpicions of Elizabeth, and of her commiſſioners, they had no authority from their miſtreſs. They acknowledged, accordingly, that it was made without her inſtructions, and intimated that they were moved to it by their anxiety for peace, and the re-eſtabliſhment of the affairs of the Scottiſh nation. They were introduced at Hampton Court to Elizabeth, who liſtened to their motion, and was averſe from it. They then repeated the deſires of the petition they had preſented to her; but ſhe did not think it right that the Queen of

Elizabeth refuſes the overture, but gives them the hope that Mary would obtain the liberty of defending herſelf.

* Anderſon, Collections, vol. iv. p. 134. Goodal, vol. ii. p. 218. 220.

Scots

Scots ſhould yet have the liberty to defend herſelf in perſon. She confeſſed, indeed, that it was reaſonable that ſhe ſhould be heard in her own cauſe; but ſhe affirmed that ſhe was at a loſs at what time ſhe ſhould appear, in what place, and to whom ſhe ſhould addreſs herſelf. While ſhe let fall, however, the hope that Mary might obtain the permiſſion ſo repeatedly, and ſo earneſtly requeſted, ſhe expreſſed her reſolution, that the earl of Murray ſhould firſt be heard in ſupport of his charge, and that ſhe ſhould attend to the proofs which he affirmed himſelf in readineſs to produce. After this buſineſs ſhould be tranſacted, ſhe told the deputies of Mary, that ſhe would again confer with them. It was to no purpoſe that they objected to a procedure ſo ſtrange, and ſo improper. An accuſation, ſaid they, is given, the perſon accuſed is anxious to defend herſelf, this privilege is denied to her, and yet a demand is to be made for the vouchers of her guilt. What is this but an open violation of juſtice? It did not become them to diſpute her pleaſure in her own dominions; but they would not, they informed her, conſent to a meaſure which was ſo alarming to the intereſts of their Queen; and if it was adopted, ſhe might expect that a proteſtation of its invalidity would be lodged with her commiſſioners *. Book IV. 1568.

Elizabeth could not cover by any artifice the crookedneſs of her policy, nor maintain even a decent appearance of ſincerity and candour. The conſciouſneſs of her own meaning, and apprehenſions of the zeal of the biſhop of Roſs and his aſſociates filled her with uneaſineſs. The The views of the two Queens.

* Anderſon, Collections, vol. iv. p. 135. 140. Goodal, vol. ii. p. 221. 227.

buſineſs

Book IV. 1568. buſineſs of the Queen of Scots had now reached the critical point. Horrible crimes had been charged upon her; and the proofs of them were ready for production. If theſe crimes had been juſtly imputed to her, it is not probable, that ſhe would have diſcovered any ſerious deſire to vindicate herſelf. She was, however, reſolute and determined to maintain her honour. Her commiſſioners had implored it as a favour, and had demanded it as a right, that ſhe ſhould be heard in her own defence before Elizabeth, the Engliſh nobility, and the ambaſſadors of foreign nations. If her guilt had been real, the execution of this favour, and this demand would have involved her in the moſt deſolating and hopeleſs ruin. And from the whole conduct of Elizabeth, it is evident beyond the poſſibility of a doubt, that this termination of the matter would have been flattering and agreeable to her in the higheſt degree. The deſtruction of her rival would thus have not only been accompliſhed, but the proclamation of her ſhame have taken effect, with the moſt overwhelming and excruciating circumſtances of oſtentation and parade. But this favour, this demand, this juſtice were refuſed. The inference is irreſiſtible and not to be contradicted. Elizabeth believed, and knew that the crimes aſcribed to Mary were an imputation, and a calumny. The proofs to which the earl of Murray affected to appeal had already been ſubmitted to her. This nobleman had betrayed to her more than ſuſpicions of their authority and power; and ſhe had entered with him into agreements which ſhe wiſhed not to avow. She was of conſequence apprehenſive of a meaſure, which, inſtead of deſtroying the Queen of Scots, might fix a diſgrace upon herſelf. The view of the one Queen was

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to eſtabliſh her innocence; the view of the other was to gratify her malignant paſſions. From the authority which Elizabeth poſſeſſed over her commiſſioners, the deputies of Mary could entertain little hope of conqueſt. The faireſt, and perhaps the only chance of equity was to be expected from the appearance of their miſtreſs herſelf in the manner in which it had been projected and required. The commiſſioners of England might overpower her deputies; and Elizabeth might ſurprize them with a decree againſt her. But in the preſence of Elizabeth, the Engliſh nobility, and the ambaſſadors of foreign ſtates, Mary herſelf could act with advantage to her honour. Though Elizabeth could command her commiſſioners, it is hardly to be ſuppoſed that ſhe could utterly overawe the great body of her nobles; and the ambaſſadors, at leaſt, of foreign nations would have carried a penetrating obſervation to her practices and behaviour. She therefore recoiled from a ſcheme where impartiality was chiefly to be expected; and ſhe perſiſted in a plan where her voice was a law. She dreaded a propoſal which would lead to the detection of her purpoſes, diſcloſe her prevarication and pretences, her direct treachery, and her inſolence of power. It was inconſiſtent with her conferences and agreements with the earl of Murray; and the infamy of their combination might be revealed. She was ſenſible of the eloquence, the high ſpirit, and the addreſs of Mary; and while ſhe trembled to oppoſe herſelf to theſe, ſhe apprehended as more terrible, in ſo illuſtrious an aſſembly, the intereſt of diſtreſs, the dignity of unmerited misfortunes, and the pride of injured innocence. She was alarmed with guilty terrors. The image of a hated rival in the moment of victory haunted her;

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her; and her disturbed imagination painted out the lofty demeanour of the Queen of Scots, her indignant emotions, and the lightning of her eye. She could not think of consenting to a measure where she had every thing to lose and nothing to gain; and was too wise to exhibit herself an open and detested monument of spleen, disappointment, perfidiousness, rivalship, jealousy, and anger.

The deputies of Mary protest against the injustice of Elizabeth. 6 December.

The English commissioners resumed the conference, and were about to demand from the earl of Murray, the proofs with which he could support his accusation. The bishop of Ross and his associates being admitted to them, expressed themselves in conformity to the conversation they had held with Elizabeth. They declared that it was unnatural and preposterous in their sovereign to think of receiving proofs of the guilt of the Queen of Scots before she was heard in her own defence; and they protested that in the event of this proceeding, the negociation should be dissolved, and Elizabeth be disarmed of all power to do any prejudice to her honour, person, crown, and estate. The commissioners of the English Queen were affected with this protestation, and felt more for the honour of their mistress, than for their own. They refused to receive it because there were engrossed in it the words of the refusal which Elizabeth had given to the petition for Mary. They did not choose to authenticate the terms of this refusal by their subscriptions; and were solicitous to suppress so palpable a memorial of her iniquity. They alledged that the language of her refusal had not been taken down with accuracy; and they pressed Mary's deputies to present a simpler form of protestation. The bishop of Ross and his colleagues yielded not however immediately to their

their inſidious importunity, but, repeating anew their proteſtation as they had firſt planned it, included* the expreſs words of Elizabeth; and when

* It is to be obſerved that ſome days paſſed before the deputies of Mary conſented to give their proteſtation to the Engliſh commiſſioners with the omiſſion of the words of Elizabeth's refuſal; and that it was then received and admitted. It was in this new form, that it became properly a matter of record; and a legal barrier to oppoſe a partial judgment from Elizabeth.

The omitted paſſage was in theſe words, "And that hir "Majeſtie declarit, ſhe wald reſſave probatioune upon thair "ſaid eik, [the accuſation by Murray and his aſſociates "againſt Queen Mary] and conſider the ſamin, befoir our "*ſaid ſoverane ſould be ſend for to be heard:* Quhairfoir we "thinking the ſamin ane prepoſterous ordour, quilk "nevir has bene uſit in any treatie or conference, zea, gif "it were the maiſt extreme form of judgement, to reſſave "probatioun befoir the partie wer heard to anſwer to the "alledgeance, and ſpeciallie in ſo weighty a cauſe, did "ſignify that we conſent in na wiſe." Goodal, vol. ii. p. 229.

As the fact of the refuſal of Elizabeth to the petition from Mary is undeniable, the objecting to this paſſage by the Engliſh commiſſioners, is not completely to be accounted for from the delicacy of admitting it in evidence, that ſhe had been ſo unjuſt as to refuſe an anſwer to an accuſation, and to call for proofs without allowing a defence. This no doubt might be one motive for the conduct of the commiſſioners. I ſuſpect, however, that they were animated by other views. They were afraid, that the paſſage, objected to, if armed with their ſanction might be appealed to by Mary's deputies as an authority for their miſtreſs to appear in her vindication after Murray's proofs were actually delivered up and conſidered. For to this it points by implication; and Elizabeth had oftener than once intimated to Mary's deputies that they might entertain this hope. "I think it verie "reaſonabill, ſaid ſhe to them, that ſhe [Mary] ſhould "be heard in hir awin cauſe, being ſo weyghtie." Goodal, vol. ii. p. 222. In another converſation with them ſhe ſaid, "And for her coming up hither in perſon, they ſhould "know her pleaſure, if ſhe ſhuld finde any furder cauſe "requiſit for the ſame." Goodal, vol. ii. p. 227. See alſo Anderſon, vol. iv. p. 138, 139.

Notwithſtanding

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when compelled by the power of the commiſſioners to expunge the language of the Engliſh Queen, they ſtill inſiſted upon their proteſtation. An interruption was thus given to the validity of any future proceedings which might affect the reputation of the Queen of Scots. The earls of Murray and Morton, with their friends, were infinitely diſappointed. For they had ſolaced themſelves with the hope of a triumph before there was a victory; and thought of obtaining a decree from Elizabeth, which, while it ſhould pronounce the Queen of Scots to be an adultereſs and a murderer, would exalt them into the ſtation and character of virtuous men, and honourable ſubjects *.

The earl of Murray is deſired to produce the vouchers of his accuſation.

Though the conference ought naturally to have terminated upon this proteſtation of the deputies of Mary againſt the injuſtice of Elizabeth; yet, it did not ſatisfy the latter princeſs that the accuſation only had been delivered to her commiſſioners; and ſhe was ſeriouſly diſpoſed to operate a judicial production of its vouchers. The charge would thus have a more regular aſpect, and be a ſounder foundation upon which to build not only the infamy of the Scot-

Notwithſtanding the ability and the partiality of Elizabeth's commiſſioners, it is very remarkable that the papers in the conferences at York and Weſtminſter lead to a ſtrong cenſure of the Engliſh Queen. It is alſo to be inferred, that this cenſure would have been greatly ſtronger, if ſecretary Cecil had not in many places altered and interlined theſe papers. It is likeways known that Mr. Anderſon, the editor of the Collections about Mary, actually omitted and ſuppreſſed with deſign many of the vouchers which were the moſt favourable to her actions and memory. Under almoſt every diſadvantage, the ſuperiority of her cauſe evinces itſelf, and is a forcible admonition, that truth is the daughter of time.

* Anderſon, Collections, vol. iv. p. 145, 146. Goodal, vol. ii. p. 228. 232.

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tiſh Queen, but her own juſtification for the part ſhe had acted. Her commiſſioners, accordingly, after the biſhop of Roſs and his colleagues had retired, diſregarding their proteſtation, called upon the earl of Murray and his aſſociates to make their appearance. The pretence however employed for drawing from him his papers was ſufficiently artful, and bears the marks of that ſyſtematic duplicity which ſo ſhamefully characterizes all the tranſactions of Elizabeth at this period. Sir Nicholas Bacon, the lord keeper, addreſſed himſelf to the earl of Murray. He ſaid, that in the opinion of the Queen of England, it was a matter ſurprizing and ſtrange, that he ſhould accuſe his ſovereign of a crime moſt horrible, odious to God and man, againſt law and nature; and which, if proved to be true, would render her infamous in all the kingdoms of the world. But though he had ſo widely forgot his duty, yet had not Elizabeth renounced her love of a good ſiſter, a good neighbour, and a good friend; and it was her will, that he and his company ſhould produce the papers by which they imagined they were able to maintain their accuſation. The earl of Murray, in his turn, was not wanting in diſſimulation. He expreſſed himſelf to be very ſorry for the high diſpleaſure he had given to Elizabeth by his charge againſt Mary, and for the obſtinacy of the Scottiſh Queen and her deputies, which made it neceſſary for him to vindicate himſelf by diſcovering her diſhonour. Under the load of this double and affected ſorrow, he made an actual and formal exhibition of the vouchers by which he pretended to fix and eſtabliſh her criminality *.

* Anderſon, Collections, vol. iv. p. 147. 152. Goodal, vol. ii. p. 233. 236.

Theſe

Book IV.

The chief vouchers againſt the Queen are the letters and the ſonnets.

Theſe vouchers correſpond not with the arts and parade which led to and attended their production. They conſiſted of acts of that parliament which had given a ſanction to the reſignation of the Queen, the coronation of her ſon, and the Regency of the earl of Murray. They conſiſted of the ſuppoſed confeſſions of the criminals who had ſuffered for the King's murder. Though theſe perſons however had accuſed Bothwel, and were doubtleſs his accomplices, yet, inſtead of criminating the Queen, they had not only reſiſted the practices of her enemies to charge her with guilt, but had openly proteſted her innocence in their dying moments. In fine, they conſiſted of a box with letters, contracts, and ſonnets. This box then with its contents was the evidence upon which the earl of Murray and his friends had the chief and indeed the only reliance; and it is upon this evidence whatever it is, that the apology of Elizabeth muſt finally reſt for her ſignal inhumanity to the Queen of Scots. No papers were ever exhibited in circumſtances ſo peculiar and ſo intereſting; and as they are ultimately found to be either genuine or falſe they will lead to the moſt inſtructing concluſions. In themſelves, in their connexion with illuſtrious perſons, and in the reference in which they ſtand to public and private tranſactions and events, they are objects of a moſt important inquiry. It is therefore fit and even neceſſary to hold out a ſuccinct and connected detail of their meaning and hiſtory in the ſituations in which they appeared before their exhibition to the Engliſh commiſſioners by the earl of Murray and his aſſociates. This diſplay or deduction of them will contribute to unfold the truth, and be a proper and ſure foundation upon which

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to judge, not only of the papers themſelves, but of the ſubſequent conduct and operations of the rival Queens. Book IV.

The ſtory of the diſcovery of the box with the letters and the ſonnets.

It is uniformly affirmed upon the part of the earl of Murray and his faction, that the caſket with the letters and the ſonnets had been left by Bothwel in the caſtle of Edinburgh; that this nobleman before he fled from Scotland ſent a meſſenger to recover them; and that they were found in the poſſeſſion of this perſon. The xx. day of June MDLXVII. is fixed as the date of this remarkable diſcovery. The governor of the caſtle at this time was Sir James Balfour. George Dalgleiſh a ſervant of Bothwel's is named as his meſſenger upon this errand. He was ſeized, it is ſaid, by the domeſtics of the earl of Morton. And, it was the earl of Morton himſelf, who made the actual production of the caſket and its contents *.

The improbability of this ſtory.

This ſtory is unſupported by vouchers, contains improbabilities, and cannot be reconciled with hiſtory and events. There remains not any authentic or unſuſpicious evidence that the Queen had diſhonoured the bed of lord Darnley; and upon the ſuppoſition that ſhe had actually been engaged in a criminal intercourſe with Bothwel, it is yet widely improbable that ſhe would have written theſe letters. But even upon the hypotheſis, that ſhe was actually guilty with Bothwel, and had addreſſed theſe papers to him, the ſtory ſtill labours with difficulties. The earl of Bothwel was expoſed to more than ſuſpicions of a concern in the murder of the King. Theſe papers contained manifeſt proofs of his guilt. It evidently was not his intereſt to preſerve them. His marriage with the Queen was celebrated

* Anderſon, Collections, vol. ii. p. 90.

Book IV. upon the xv. day of May MDLXVII. This event was the ſignal for her adverſaries to revolt from Bothwel to whom they had pretended friendſhip, and to involve her in the ruin of his overthrow. They revolted accordingly; and he was loudly reproached with the murder of the King. Now in this ſituation, admitting that he had hitherto preſerved any criminal papers, he muſt have felt the ſtrongeſt inducements to deſtroy them; and Mary herſelf muſt have been ardently animated with the ſame wiſh. The caſtle of Edinburgh was, at this time, entirely at their command; and Sir James Balfour was the deputy, and the creature of Bothwel. If his enemies ſhould poſſeſs themſelves of theſe papers, his deſtruction was inevitable. They were in arms againſt him. Upon the VI. day of June, they compelled him to retire from Holyrood houſe *. From his marriage till the V. day of June it was in his power to have deſtroyed theſe papers; and if they had really exiſted, it is not to be imagined, that he would have neglected a ſtep ſo infinitely expedient not only for his own ſecurity and reputation, but for thoſe of the Queen. Upon the VI. day of June it is evident that he entertained ſome ſuſpicions of the fidelity of Sir James Balfour, ſince he avoided to take refuge in the caſtle of Edinburgh. Upon Carberry Hill, on the XV. day of this month, he was admoniſhed that he was undone. He went immediately to the caſtle of Dunbar where he remained for ſome days, and formed the ſcheme of his flight. The Queen was that day made a priſoner at Carberry Hill; and the day after, ſhe was ſhut up in Lochlevin. In this ſeaſon when Sir James Balfour was his enemy, when all his hopes had periſhed,

* Keith, p. 398.

and

and when he had reſolved to effectuate his eſcape, he is made to be anxious about the caſket and the papers. He had neglected to take poſſeſſion of them when his impulſes to deſtroy them muſt have been keen and oppreſſive, and when it was completely in his power. He is made to ſend for them when his difficulties and deſpair render it improbable that he could think of them, and when it was altogether impoſſible that he could recover them. His meſſenger is intercepted with the caſket; and the adverſaries of the Queen upon the xx. day of June, become poſſeſſed of vouchers with which they might operate her deſtruction. Theſe inconſiſtencies are ſtrong, and of a force not eaſily to be controlled; and the ſtory is open to other objections which are ſtill greater, and altogether inſurmountable. Book IV.

A few days after George Dalgleiſh was taken, he was examined judicially in a council, where the earls of Morton and Athol are marked as preſent*. It was natural upon this occaſion to make inquiries about the caſket and the papers. No queſtions, however, were put to him on this ſubject. He was not confronted with Sir James Balfour, the governor of the caſtle, to whom the caſket is ſaid to have been committed in charge, nor with the domeſtics of the earl of Morton who had apprehended him. He was kept in priſon many months after this examination; and during a period, when the rebels were preſſed infinitely to apologize for their violence againſt the Queen, there were opportunities without number of bringing him to a confeſſion. Theſe opportunities were yet avoided; and there exiſts not the ſlighteſt evidence to ſhew that the caſket and the papers had been ever in his poſſeſ-

* Anderſon, Collections, vol. ii. p. 173.

Book IV. sion. Is it then to be supposed, that if the casket and the papers had really been discovered with him, the establishment of a fact so important would have been neglected by the adversaries of the Queen? No. They would have accomplished its proof in the completest manner; and they had the most powerful inducements to operate this measure. When Dalgleish, too, was executed *, he asserted the innocence of the Queen, and actually charged the earls of Murray and Morton as the contrivers of the murder †.

The xx. day of June MDLXVII. is fixed as the æra of the discovery of the letters. If this discovery had been real, the triumph of the enemies of the Queen would have been infinite. They would not have delayed one moment to proclaim their joy, and to reveal to her indignant subjects, the fulness and the infamy of her guilt. They preserved, however, a long and profound silence. It was not till the IV. day of December MDLXVII. that the papers received their first mark of notice or distinction. From the xx. day of June to the IV. day of December many transactions and events of the highest importance had taken place; and the most powerful motives that have influence with men had called upon them to publish their discovery. They yet made no production of the papers, and ventured not to appeal to them. In the proclamation ‡ which they issued for apprehending Bothwel, they inveigh against his guilt, and express an anxious desire to punish the regicides; yet though this deed was posterior to the xx. day of June, there is no assertion in it to the dishonour of the Queen; and it contains no mention of the box and the

* 3 January 1568. † Keith, p. 467. ‡ 26 June, 1567, Anderson, Collections, vol. i. p. 139.

letters,

letters. An ambaſſador arrived from France in this interval *, to inquire into their rebellion, and the impriſonment of the Queen; yet they apologized not for their conduct by communicating to him the contents of the caſket. Sir Nicholas Throgmorton was ſent to Scotland by Elizabeth with inſtructions to act with Mary as well as with her adverſaries †. They denied him the liberty of waiting upon her at Lochlevin where ſhe was detained a cloſe priſoner; and they were earneſt to impreſs him with the idea that her love of Bothwel was incurable. He preſſed them on the ſubject of their behaviour to her. At different times they attempted formally to vindicate themſelves; and they were uniformly vehement on the topic of the love which ſhe bore to that nobleman ‡. There could not poſſibly, therefore, have been a happier period for a diſplay of the box and the letters. They yet abſtained from producing them to him. They were ſolicitous to divide the faction of the nobles for the Queen; and there could not have been a meaſure ſo effectual for this end as theſe vouchers; yet they called no convention of her friends to ſurprize and diſunite them with this fatal diſcovery. They flattered the proteſtant clergy, attended the aſſemblies of the church, and employed arts to inflame them againſt the Queen; but they ventured not to excite the fury of theſe ghoſtly fathers by exhibiting to them the box and the letters. They compelled the Queen to ſubſcribe a reſignation of her crown ‖; and they had the ſtrongeſt reaſons to be ſolicitous to juſtify this daring tranſaction. The box and the letters would have ſerved as a complete vin-

Book IV.

* Keith, p. 411.

† He arrived in the beginning of July 1567.

‡ Keith, p. 417. 427.

‖ 24 July 1567.

Book IV.

dication of them; yet they neglected to take any notice of theſe important vouchers; and were contented with reſting on the wild and frivolous pretence that the Queen from ſickneſs and fatigue was diſguſted with the care of her kingdom*. In fine, when the earl of Murray went to Lochlevin to pay his very remarkable viſit† to the Queen, and proceeded to extremities the moſt rude, indecent, and cruel, he did not reproach her with the box and the letters. Yet, if theſe papers had been real, it is incredible to conceive that he would have abſtained from preſſing them upon her. For it was his purpoſe to overwhelm her with diſtreſs. It was not long after this viſit that he accepted the Regency‡, and completed his uſurpation of the government. The concluſion to be drawn from this enumeration of concurring particulars, is natural and unavoidable. Theſe memorable papers had not yet any exiſtence.

The firſt evidence of the exiſtence of the letters.

When the adverſaries of the Queen had atchieved the overthrow of Bothwel, and had thrown her into the priſon of Lochlevin, they had occaſion to fear her return to popularity, and her deliverance from confinement. They were not abſolutely certain that Elizabeth would refuſe to take the part of the Queen; and they had apprehenſions from the interpoſition of France. They accordingly held conſultations about the method the moſt efficacious for their ſecurity and protection. When the earl of Murray aſſumed the Regency, it was abſolutely neceſſary that they ſhould come forward with their vindication; and from their being poſſeſſed of the power of government, they could manage their vindi-

* Anderſon, Collections, vol. ii. p. 208. Keith, p. 430.
† 15 Auguſt, 1567. ‡ 22 Auguſt, 1567.

cation

eation to the greater advantage. Accordingly in this critical period they in reality made their defence. In a privy council aſſembled by the earl of Murray upon the IV. day of December, MDLXVII. an inquiry was concluded, which had been agitated for ſome days, and of which it was the object to examine into the conduct of the lords, barons, and gentlemen who had acted againſt the Queen. This was in fact an inveſtigation made by themſelves into their own behaviour and actions. The event was as favourable as might be expected. They pronounced, that from the time of the murder of the king *, till the period of their deliberations, they had acted as faithful and true ſubjects; and that every extremity to which they had proceeded againſt the Queen, had its ſource in her own miſconduct. They affirmed that ſhe was a party with the earl of Bothwel in the King's murder, and that this murder had been committed with a view to their marriage. To ſupport this concluſion, they appealed to the letters which ſhe had written to him; and they mentioned them as the chief and juſtifying cauſes of their rebellion †. It appears not, however, that the letters were read in this council, or examined in it; but it may be concluded at leaſt that they were now actually in exiſtence. Upon the IV. day then of December, MDLXVII. the letters received their firſt mark of diſtinction. Book IV.

In the act of this ſingular privy council it is obſervable, that the enemies of the Queen impute to the letters their knowledge of her guilt, and point to them as the ſource or ſpring of their rebellion ‡. Now, according to their own account,

* 10 February, 1567. † Haynes, 453.

‡ "The lords of ſecrete counſele and utheris, baronis, "and men of judgement deſires it to be found and declarit "be

Book IV. account, the letters were not diſcovered till the xx. day of June. Yet there is nothing more certain than that they were in arms, and had diſplayed

" be the eſtates and haill body of the parliament, that the " cauſe and occaſion of the previe convenſionis and meſ- " ſages of the erles, lords, noblemen and baronis, and others " faithful and true ſubjects, and conſequentlie theire taking " of armes and cominge to the fields with oppin and diſ- " plait banners, and the cauſe and occaſion of the tacking " of the Queene's perſon upon the 15th daie of June laſt " by paſt, and holding and deteininge of the ſame within " the hous and place of Lochlevin continewallie ſenſyne, " preſentlie, and in all tymes comyng; and generallie all " other things inventit, ſpokin, writtin, or donne be them, " or aney of them, ſen the tent daie of February laſt by " paſt (upon the quilk daie Umqle King Henrie, the Queen's " lawful huſband, and our ſovereigne lord the King's deareſt " father was ſhamefully and horriblie murtherit) unto the " daie and dait hereof, toweching the ſaid Quene hir per- " ſon, that caus, and all things depending theiron, or " that anie wiſe maie apperteine theirto, the intromiſſionn " with the diſponinge upon hir propertie, caſualties, or " other thing whatſoever perteining, or might pertene to " hir, was in the ſaied Quene's awin default, in as far as " be divers her previe lettres writtin and ſubſcrivit with " hir awen hand, and ſent be hir to James erle Bothwel, " chief executor of the ſaid horrible murder, as well before " the committing theirof, as thereafter, and be hir ungodlie " and diſhonourable proceedinge in a priveit mariage with " him ſoddonlie and unproviſitly yrafter it is moſt certeine " that ſhe was previe art and part, and of the actual deviſe " and deid of the foirmentionit murther of the Kinge, hir " lawchful huſband our ſovereigne lorde's father, committit " be the ſaid James erle Bothwel, his complices and par- " takers, and theirfore juſtlie deſerves whatſoever has been " attemtit or ſhall be uſit towards hir for the ſaid caus." Act of Secrett Counſell, ap. Edinb. quarto, die menſis Decembris, an. Dom. 1567. This act of council is ſubſcribed as follows: James Regent, Morton Chancellair, Glencarne, Erroll, Bowchane, Alexander Lord Home, Ruchven, Lord Simpill, John L. Glammis, Patrick lord Lindſay, Pat. Lord Gray, John Lord Grahame, Uchiltire, Innermeth, Adam Orchaden, Robert, Commendator of Dumferling, Alexander, Commendator of Culroſs, Sir James Balfor, Ja. Makgill, Hen. Balnaves, W. Maitland, Dumlanerk, Coninghameheid,

played their hoſtile banners in the month of May. In conſequence of their order the Queen was even committed to the caſtle of Lochlevin upon the XVI. day of June *. The letters therefore could not poſſibly give riſe to events which were prior to their diſcovery. This is to reverſe altogether the laws of nature. Previouſly to the period in which they acknowledge that they firſt ſaw the letters, they affect to have been governed by them. This act of council, a ſolemn deed of their own, is therefore an expreſs evidence againſt the authenticity of the letters. BOOK IV.

But let this act of council be conſidered in the light the moſt favourable to them, and be tried by tranſactions of their own, which were abſolutely poſterior to the XX. day of June. It was upon the XXVI. day of this month that they proclaimed Bothwel a traitor. In this act of proclamation they impute to him the murder of the King; but they charge him alſo with treaſon, as the raviſher of the Queen; affirm that her marriage with him was forced, and that ſhe was under bondage †; aſſign as their reaſon for taking arms,

heid, John Erſkan of Dun, Wm. Kirkaldey, Jo. Wiſhart of Petarro, James Halyburton, Craig Millair. Haynes, p. 454, 455.

* Order of Murray's council for the impriſonment of the Queen, ap. Goodal's MSS.

† "Foraſmeikle as the lordis of ſecreit Counſall, and "uthers of the nobilitie, baronis, and faithful ſubjectis of "this realme, perſaving the miſerable eſtate of the com-"monweall, how the King, the Queenes majeſties lait huſ-"band, was horriblie and ſhamefullie murderit; na tryell "takin thereof, nor puniſhment execute upon the authoris, "howbeit thai wer knawin weill enough in the ſicht of men, "*bir Hieneſs awin perſoun treaſonabillie raviſchit*, and thair-"after joinit with the erle Bothwel, principal author of the "ſaid cruel murther, in mariage, although maiſt ungodlie, "baith againis the lawe of God and man, continowing ſtill "in thrälldome and bonduge, under the *yoke of that preten-*

"*dit*

Book IV. arms, their deſire to puniſh him as the author of the murder and the rape; and command the ſubjects of Scotland not to aſſiſt him in any reſpect, under the penalty of being accounted partakers with him in theſe horrible crimes. Now if their act of council is to be believed, and if the letters are genuine, they were at this very time under the ſtrongeſt conviction of her guilt, conſidered her as a deviſer and accomplice of the murder, and believed that her view in the murder was to accompliſh the marriage. They could not therefore with any probability have charged Bothwel as excluſively guilty of the murder, of having committed a rape upon her in order to accompliſh his purpoſes, and of being expoſed to the laws of his country for the joint crimes of murder, treaſon, and raviſhment. This evidence is not ſingle and unſupported. In a laboured manifeſto on the ſubject of their rebellion, which they delivered to Throgmorton upon the xi. day of July, they expreſsly repreſent the Queen as

" *dit and unlawful marriage*, thairfoir thai haif takin on " armes to puniſch the authoris of the ſaid cruel *murther* " and *raviſching*, to preſerve the perſon of the innocent in- " fant native prince of this realme, fra the bluddie crueltie " of him that ſlew his father, and to reſtore and eſtabliſh " juſtice abuſit in this corrupt tyme, to all the liegis of this " realm." Such is the preamble of this paper; and in the concluſion of it they " command all the liegis, of what " eſtait or degree that ever thai be off, that nane of theme " taik uppon hand to reſett or ſupplie the ſaid erl in thair " houſis, or otherways, or ſupport him with men, armour, " horſe, ſchippes, boatis, or uther furniſhing whatſoever, be " ſea or land, under the pane to be repute, holden and eſte- " mit as plane partakeris with him in the ſaid horribill mur- " der, *raviſching*, and uther wickit crymes and enormities " committit be him, and to be puniſht thairfore, as common " enemies of this commonweall." An act and proclamation for apprehending of the earl of Bothwel, from the records of privy council, ap. Edinb. 26 Junij, an. Dom. 1567. Anderſon, Collections, vol. i. p. 139, 140, 141.

free

free from any concern in the death of her huſband. They directly acknowledge that the crimes of Bothwel had put arms into their hands; that he had accompliſhed the murder in order that he might compel the Queen to marry him; that in reality the marriage was effected by force and power; and that he kept her in captivity. They expreſs it as their firm perſuaſion that he had ſchemed to take away her life, as well as that of the prince her ſon *. Theſe are poſitive and definitive

* "How ſhamefully the Queen our ſovereign was led "captive, and by fear, force, and (as by many conjectures "may be well ſuſpected) other extraordinary and more un- "lawful means, compelled to become bed-fellow to another "wife's huſband, and to him who not three months before "had in his bed moſt cruelly murdered her huſband, as is "manifeſt to the world, to the great diſhonour of her ma- "jeſty, us all, and this whole nation. In what caſe the "innocent babe, our native prince, then ſtood, is eaſily to "be conſidered, when the murderer by ſuch ungodly means "had attained the place of him whom before to the ſame "end he had murdered. What end think ye could we have "lookt for of the earl of Bothwel's proceedings with pro- "ceſs of time? Or in what bounds could his immoderate "ambition have been concluded, who not content with his "own eſtate, had in three months found ſuch hap in an un- "happy enterprize, that by the murder of the babe's father "he had purchaſed a pretended marriage of the mother, "ſeized her perſon in his hands environed with a continual "guard of 200 harquebuziers, as well day as night, where "ever ſhe went, beſides a number of his ſervants, and other "naughty perſons murderers and pirates, who to impetrate "impunity of their wicked lives and liberty to do ill, make "their dependence on him, and by theſe means brought the "nobility to that miſerable point, that if any man had to do "with the Prince, it behoved him before he could come to "her preſence, to go through the ranks of harquebuziers "under the mercy of a notorious tyrant, as it were to paſs "the pikes: A new example, and wherewith this nation "had never been acquainted, and yet few or none admitted "to her ſpeech; for that his ſuſpicious heart brought in "fear by the teſtimony of an evil conſcience, might not "ſuffer her ſubjects to have acceſs to her majeſty as they "were

Book IV. definitive declarations; and they are in the moſt abſolute contradiction to the ſenſe of their act of council, and to the authenticity of the letters. In a regular and formal deed, which they iſſued upon the xxi. day of July, they deſcribe the wickedneſs of Bothwel, and poſitively aſſert, that after he had committed the murder he treaſonably aſſaulted the perſon of the Queen, took her captive to Dunbar, and keeping her in bondage, conſtrained

"were wont to do. Beſides all this, the principal ſtrengths, "fortreſſes, with the whole artillery and munition, the "whole government and direction of all the affairs of the "realm. What reſted to finiſh the work begun, and to "accompliſh the whole deſire of his ambitious heart, but "to ſend the ſon after the father; and, as might be ſuſ- "pected, ſeeing him keep another wife in ſtore, to make "the Queen alſo to drink of the ſame cup, to the end that "he might inveſt himſelf with the crown of the realm? "Which behoved to be the mark he ſhot at; for that which "by wicked means is purchaſed, muſt be by the like main- "tained. When this was the condition and eſtate of the "realm, what was the office of the nobility, or what became "it them to do whom God had called to honourable place "in this common-weal? Should they have winked at it? "Alas! that was too long done, and that we may ſore re- "pent. Should they have contented themſelves to deal by "way of advice or counſel, when no counſellors, of the "realm had the liberty of free ſpeech, nor ſurety of their "own life, if they ſhould in counſel reſiſt the inordinate "affections of that bloody tyrant: yea when a few num- "ber, or in a manner none durſt reſort to court. When ye "have ſpoken that failing thereof we ſhould have recom- "mended the reſt to Almighty God, the advice may be "good for the ſoul, but not ſafe for the body, and hard to "be followed: for therewithall it behoved us aſſuredly to "have recommended the ſoul of our Prince and of the moſt "part of our ſelves to God's hands, and, as we may firmly "believe, the ſoul alſo of our ſovereign the Queen, who "ſhould not have lived with him half an year to an end, as "may be conjectured by the ſhort time they lived together, "and the maintaining of his other wife at home at his "houſe.

"The reſpects aforeſaid, with many others, and very ne- "ceſſity, moved us to enterprize the quarrel we have in "hand,

conſtrained her to marry him *. To the ſame purpoſe additional evidence might be brought; but theſe vouchers are ſufficiently powerful and inſtructive. For if it had been true that the conſpirators had been poſſeſſed of the letters upon the xx. day of June, and had been actuated with reſentment againſt the Queen as art and part of the murder with a view to the marriage, they could not poſſibly in a poſterior day of that month, and in the month of July, have deſcribed Book IV.

" hand, which was only intended againſt the earl of Both-
" wel's perſon, to diſſolve the diſhonourable and unlawful
" conjunction under the name of marriage, which neither
" by God's law nor man's law could be vailable or allowed
" by either religion, papiſt or proteſtant, but was deteſtable
" in the eyes of the whole world. To remove the ſhame-
" ful ſlander which among all nations was ſpread of this
" poor realm, by revenging that cruel murder, and to pre-
" ſerve the moſt noble perſon of that innocent babe; theſe
" effects could not be otherwiſe brought to paſs, than by pu-
" niſhment of the earl of Bothwel in his perſon, which could
" not be apprehended unleſs we had put ourſelves in arms to
" that effect." The anſwer of the lords of Scotland to Sir Nicholas Throgmorton, ambaſſador there, 11th July, 1567. Calig. c. 1. a copy, ap. Keith, p. 418, 419.

* " Efter the horrabill and unworthie murthour of Um-
" quhile the King, oure ſoveranis lait huſband, committit
" under ſilence of nycht, within his awin ludgeing, be James
" erle of Bothwile, his complices and partakeris, the ſaid
" erle continuand in his miſchievous wickittneſs, efter he
" had alſwa treaſonabilie reveſit hir majeſties maiſt nobill
" perſoun, and led hir captive to Dunbar, conſtrenit hir,
" being in his bondage and thraldome, to contract ſic ane
" ungodlie and pretendit marriage with him, as nowther
" Goddis law, nor manis law could permitt." An act prohibiting the payment to the biſhop of Murray of his rents for his entertaining the earl of Bothwel. From the records of privy council. " Apud Edinburgh xxi Julij, anno 1567.
" Sederunt, Jacobus Comes de Mortoun, Johannes Comes
" de Athole, Alexander Dominus Hume, Edwardus. Do-
" minus Sanquhair, Willielmus Dominus Ruthven." Anderſon, Collections, vol. i. p. 142, 143.

her

Book IV. her as under bondage, as innocent and raviſhed, as compelled to marry, in danger of her life, in conſtraint, and in captivity.

This remarkable act of Murray's privy council is the key to diſcover the forgery of the letters. It is not to be controverted that they received in it their firſt mark of diſtinction. There is no previous memorial of them in hiſtory; and if there had been any, the conſpirators would not have failed to have produced it. They had iſſued many proclamations and public papers; but in no proclamation or public paper preceding the IV. day of December, did they ever announce or appeal to the letters; although it was infinitely their intereſt to have done ſo. It is impoſſible that this could have been their line of conduct, if the letters had been genuine. It is only to be accounted for on the hypotheſis that they are a forgery. The letters conſidered as genuine papers were unknown when they ought, and could not fail to have excited the greateſt noiſe and ferment. When conſidered as a forgery their appearance was in the exact moment of propriety. For the conſpirators having completed the uſurpation of the government, were in a ſituation where it was abſolutely neceſſary for them either to acknowledge their own tranſgreſſions, or to impeach the Queen. Their crimes and rebellion, the neceſſities of their ſituation, and her impeachment, are all correſpondent and explanatory. They are the parts of a whole, and throw mutually a light to one another *.

In

* It is not even impoſſible to aſcertain with ſome degree of exactneſs the date of the forgery of the letters. In a diſpatch to Elizabeth from Throgmorton her ambaſſador in Scotland, dated at Edinburgh 25th July, 1567, there are the following notices. He is ſpeaking of the enemies of Mary. "They

In this act of council the conſpirators diſcover the greateſt anxiety for their pardon and ſecurity. Now, if the letters had been genuine this anxi- Book IV.

" They mean to charge her with *incontinency*, as well with " the earl of Bothwel, as with others, having (as they ſay) " ſufficient proof againſt her for this crime.

" They mean to charge her with the *murder* of her huſ- " band, whereof (they ſay) they have as apparent proof " againſt her as may be, as well by the teſtimony of her " hand writing, which they have recovered, as alſo by ſuf- " ficient witneſſes." Calig. c. 1. an original, ap. Keith, p. 426.

This voucher oppoſes, and may be conſidered as overturning altogether, the idea that the letters were diſcovered upon the 20th day of June. For it demonſtrates that in the end of July the faction were only thinking of eſtabliſhing their charge againſt the Queen. They were to drop the notion of her incontinency with other perſons beſide Bothwel; and they were to drop the fancy of the ſufficient witneſſes of her guilt in the murder. From the guarded manner in which Throgmorton expreſſes himſelf, it is alſo to be inferred that this penetrating ſtateſman did not believe there was any foundation for the charges which they affected to be able to fix upon her.

After Murray had accepted the Regency, Throgmorton intimated his deſire to return to England. The faction were ſolicitous that he ſhould leave them in a good humour. They invited him to wait upon them. They had uniformly refuſed to inform him how far they meant to proceed againſt the Queen; and they did not now admit him into the ſecret of their intentions. He heard, notwithſtanding, apologetical and general ſpeeches from Murray, Morton, and Lethington; and at this interview there were alſo preſent the earls of Athol, Marre, and Glencairn. As Throgmorton was on the eve of his departure, they were infinitely diſpoſed to blacken Mary. They produced not, however, to him the box and the letters. This interview took place on the 30th day of Auguſt; and he gives an account of it to ſecretary Cecil in a diſpatch from Berwick. Letter from Throgmorton to Cecil, 1ſt September, 1567. Calig. c. i. a copy, ap. Keith, p. 457. It is thus to be conceived, that the letters muſt have been fabricated in the period of time between the 30th day of Auguſt, when Throgmorton left Edinburgh, and the 4th day of December, when they were mentioned and appealed to, in the earl of Murray's ſecret council.

Book IV.

ety would have been moſt unnatural; for, the notoriety of her guilt would have operated moſt completely their juſtification and pardon. In this act of council they betray the utmoſt ſolicitude to eſtabliſh the criminality of the Queen. Yet, if the letters had been real, her criminality would have been eſtabliſhed from the moment of their diſcovery. This anxiety therefore for themſelves, and this attempt againſt the honour of the Queen at a juncture ſo particular, are more than ſuſpicious. They appear to be obviouſly the ſuggeſtions of their guilty fears; and the ſteps by which they thought to accompliſh their purpoſes are a new evidence againſt them, and a freſh intimation of their guilt. It was with a view to the approaching convention of the Eſtates, that this act of council had been formed and managed. It was a preparation for the parliament, in which the conſpirators had ſecured the fulleſt ſway*; and where they propoſed to effectuate their pardon and ſecurity, and to eſtabliſh the letters as deciſive vouchers againſt the Queen †.

The ſecond evidence of the exiſtence of the letters.

Accordingly upon the xv. day of December, MDLXVII. the three Eſtates were aſſembled. The conſpirators invited no candid or regular enquiries or inveſtigation. The friends of the nation and of the Queen were overawed. Every thing proceeded in conformity to the act of council. The conſpirators by a parliamentary decree received a full approbation of all the ſeverities they had exerciſed againſt the Queen. A pardon by anticipation was even accorded to them for any future cruelty or puniſhment they might be induced to inflict upon her. The letters were mentioned as the cauſe of this ſingular law; and this new appeal to them may be termed the ſecond mark of

* Keith, p. 465, 466. † Haynes, p. 453.

their

their diſtinction. But amidſt the plenitude of their power the conſpirators called not the Eſtates to a free and honeſt examination of them. This, indeed, if the letters had been genuine would have annihilated for ever all the conſequence of the Queen. Upon this meaſure, however, they ventured not. They apprehended a detection of their forgery, and a proteſtation againſt it. The letters were neither read, nor examined, nor recorded. The Queen was not brought from her confinement to defend herſelf, and no advocate was permitted to ſpeak for her. By a ſtrong and unwarrantable exertion of authority the parliament ſuſtained them as vouchers of her guilt without inſpection, ſcrutiny, or debate. The conſpirators who were themſelves the criminals, were here her accuſers, and her judges *. Book IV.

There was yet no actual exhibition or diſplay of the letters. It was, however, neceſſary to deſcribe them in the act of council, and in the ordination of the parliament; and theſe deeds having fortunately deſcended to poſterity, it is moſt remarkable that from a compariſon of them, it is to be obſerved that the letters muſt have undergone eſſential alterations under the management of the conſpirators. In the act of council the letters are deſcribed expreſsly as written and ſubſcribed by the Queen †. But in the act or ordination of the parliament, they are ſaid to be only written with her own hand, and there is no intimation that they were ſubſcribed by her ‡. The letters appear in forms eſſentially different.

* Black Acts, part ii. p. 15.

† "Hir previe lettres writtin and ſubſcrivit with her awen "hand, and ſent by hir to James erl Boithuill." Haynes, p. 454. Goodal, vol. ii. p. 64.

‡ "Hir previe letteris writtin halelie with her awin hand, "and ſent be hir to James ſum tyme erle of Bothwell." Black Acts, part ii. p. 15. Goodal, vol. ii. p. 67.

Book IV. Under one form they had been appealed to as vouchers of her guilt in the privy council. Under another form they were mentioned as vouchers of it in the parliament. Now if the letters had been genuine they would have appeared uniformly with the ſame face. Theſe variations are therefore ſtages in the progreſs of the forgery. The keenneſs of the conſpirators engaged them at firſt to adhibit to them the name of the Queen. But a maturer conſideration of the groſs impropriety of their contents diſcovered to them, that her ſubſcription would communicate to them an air of extravagance and improbability. They accordingly rejected this method, and adopted the form of executing the letters without her ſubſcription. With this faſhion of them in fact they were finally ſatisfied; and it is under this aſpect that they were actually to be produced, and to be known.

Their appearance in their complete form.

They were now as complete as the conſpirators wiſhed them to be; yet in this ſtate, while they were unſubſcribed, they wanted other formalities which are uſual in diſpatches. They were without any direction; they had no dates; and they had no ſeal. They muſt have been ſent by the Queen to Bothwel as open and looſe papers. They yet contained evidence againſt herſelf and againſt him of the moſt horrid wickedneſs; and Nicholas Hubert the perſon who is ſaid to have carried them, was of the loweſt condition, and indiſcreet. Theſe are moſt incredible circumſtances on the ſuppoſition that the letters are authentic *; and even when the letters are conſidered in the light of a forgery, they ſeem to intimate that the conſpirators did not intend any more than to appeal

* Anderſon, Collections, vol. ii. p. 129. 155. Goodal, vol. ii. p. 1. 44.

to appeal to them in their defence; to keep them from obſervation, and to reſt for their authority on the parliamentary ſanction to be communicated to them.

They are inelegant, and cannot be reconciled with chronology.

The letters in their compoſition bear no reſemblance to the other writings of the Queen. They have a vulgarity, an indelicacy, and a coarſeneſs of expreſſion and manner that do not apply to her; and while they are diſguſting from their want of elegance, they violate chronology. From a compariſon of them with national records of undoubted faith they appear to have been written upon days when the Queen was differently employed, and in places where ſhe was not actually preſent. It is not in one inſtance only that they exhibit this wild inconſiſtency. The examples of it are frequent, and attended with peculiarities that are palpable. The objections, therefore, to their authenticity upon this head ſeem deciſive, and are not to be contradicted, or even palliated without a violence and ſcepticiſm that are altogether deſtructive of hiſtorical evidence *.

The criminality deducible from the letters in its application to the Queen.

But while the genuineneſs of the letters is aſſailable upon every ſide, the criminality to be deduced from them againſt the Queen receives no ſupport of any kind from hiſtory. It is the amount of the charge which they are brought to ſupport, that ſhe was concerned in the murder of the King in order to accompliſh her marriage with Bothwel †. Now her marriage with Bothwel was not voluntary;

* Goodal, vol. i. p. 115. 124.

† There is extant a very important paper of inſtructions to Mary's deputies, which was drawn up and ſubſcribed by the nobility, barons, and clergy of Scotland who approved not the conduct of the earl of Murray and his faction; and which explains the opinion they entertained of the tranſactions of the Queen, and of their practices againſt her. Upon the topic of the murder with a view to the marriage it contains the following remarkable notices.

voluntary; and ſhe could have no concern in the murder with this view. At Dunbar, ſhe was detained againſt her will. Her adverſaries were at

"In caſe it be allegit, that the marrying of the earle of "Bothwel is an great ſuſpicion of her hieneſs knawledge; "[of the murder]; it is anſwerit, that before that ever "that marriage was laid to her grace's charge, the maiſt "part of the nobility, and principally of the uſurpers, ſic "as the earle Morton, lord Sempil, lord Lindſey, and Mr. "James Balfour, gave their conſent to the earle Bothwel.

"And to remoif all ſuſpicion, whairthrow he micht be "abil thereto, thai declarit him innocent of that crime by "an publick aſſize, and cleanzit him by an enrollement "thereof, and the ſame was ratified again in Parliament by "conſent of the three Eſtates; and ſwa the ſame can infer "na preſumption againſt her Majeſty.

"And farther, in teſtification of her Grace's innocency, "and that her conſcience does perſuade herſelf to abide all "tryal, hir Hieneſs has renderit hir maiſt noble perſon "within the realme of England, where his fader, moder "and principal freinds make reſidence, havand ſpecial com-"modity to ſuit tryal thereof, whilk, gif her Grace had "knawin herſelf guilty, wald not of her awin free motion "have come therein: zit not the leſs her Grace, being an "free princeſs, is not ſubject to the judgment of any other "prince.

"And farder, it is of trewth that her adverſaries, uſurp-"ers of her authority, offerit remiſſion to ſundry that are "convict for that crime, by thame, gif thai would ſay that "her Grace was guilty thereof, but offeris to pruif the ſe-"ducers culpable thereof in whatſumever manner thai pleis." Goodal, vol. ii. p. 361.

This paper of inſtructions, which is dated at Dunbarton upon the 12th day of September, 1568, and to which I ſhall have occaſion to appeal in future inſtances, was the joint work of the earls of "Huntly, Argyle, Crawfurd, Eglin-"ton, Caſſils, Rothes, and Errol. The lords Ogilvy, "Fleming, Summervile, Boyd, Livingſton, Sanquhar, Yeſ-"ter, Herreis, Oliphant, Drummond, Salton, and Max-"wel. The biſhops of St. Andrews, Dunkell, Aberdeen, "Roſs, Galloway, Brechin, Argyle, and the Iſles. And "the abbots of Jedburge, Kinloſs, St. Colme, Glenluce, "Fern, New Abbay, Halywood, and Lyndores." Goodal, vol. ii. p. 354.

that

that time the friends of Bothwel; and inſtead of taking arms to remove her out of his power, they allowed him full leiſure to put in practice all his arts againſt her. They had even armed him with a bond inculcating in the ſtrongeſt terms his innocence of the murder; extolling in the higheſt degree his integrity, capacity, valour, and accompliſhments; and recommending him to be her huſband in the moſt nervous, and unequivocal language. This bond he produced to her when ſhe was his priſoner; and it ſufficiently informed her, that they were the friends of Bothwel, and that ſhe could not expect to be relieved by them. The conſequence of being under the dominion of Bothwel was her ſeduction; and the conſequence of her ſeduction was her marriage. Now, if Mary had been previouſly in criminal habits with this nobleman, and had joined with him in the murder in order to effect the marriage, there would not have been any occaſion for all this artifice and criminality. The marriage would have followed naturally of itſelf; and theſe violent preparations would have been unneceſſary. The friends of Bothwel would not have ſubſcribed a bond recommending him as a huſband to the Queen. They would not have inculcated his innocence of the murder, the integrity of his character, and the greatneſs of his virtues and accompliſhments. Bothwel himſelf would not have lain in ambuſh for her in her way from Stirling to her capital; he would not have carried her to Dunbar under a guard of ſoldiers; and he would not have been obliged to accompliſh the marriage by new crimes, and to have found the way to her bed by treaſon and raviſhment. Book IV.

While the innocence, however, of the Queen of a concern in the murder, and of any previous amour The letters are conſiſtent with

Book IV. amour with Bothwel is to be inferred from the arts and compulsion employed to produce this abominable marriage*; the criminality of her enemies receives thence a confirmation of the strongest kind. They exempt the Queen from all suspicion of being an accomplice with Both-

the transactions of her enemies, and a proof of their guilt.

* It is a common opinion, even with authors who are favourable to Mary, that she entertained a real affection for Bothwel. I must acknowledge, however, that I have met no fact or circumstance from which I think myself intitled to conclude that this was the case. To this purpose I have already expressed myself; and the more I consider the subject my conviction is the stronger. What passed between them at Dunbar, is to be accounted for from very different principles than those of love.

Instead of being enamoured of Bothwel, there are even sufficient reasons to imagine that he made use of a very improper artifice to effect her seduction. In her instructions to the bishop of Dunblane her ambassador to France, after relating his declarations of love and his importunities, it is said, "be thir means, and *mony utheris*, he brocht us "agaitward to his intent." Anderson, vol. i. p. 99. In the proclamation against Bothwel, it is expressed that she was seduced "be *unleisum* waies." Anderson, vol. i. p. 131. And in the apology which the earl of Murray's faction made to Throgmorton of their proceedings there is this passage. "The Quene our sovereign was led captive, "and by *fear, force*, and (as by many conjectures may "be well suspected) other EXTRAORDINARY and more "UNLAWFUL means, COMPELLED to become bedfellow "to another wife's husband." Keith, p. 418. It is thus to be conceived that Bothwel employed means against Mary which were different from caresses and love, and which were more extraordinary and unlawful than fear or force. These means, doubtless, were *amatorious potions*. Now, if the Queen had been engaged in criminal habits with him during the life of Darnley he would not have thought of practising against her at Dunbar a method of seduction so completely infamous. If I were professedly the panegyrist of Mary, I would dwell upon this topic, and use rhetorical arts to paint it in all the blackest colours. But I am neither her panegyrist nor her enemy. It is my ambition to lay the truth simply before my reader; and he must often exert his own powers of thought and imagination to conceive the full enormity of many an eminent actor in the scenes I describe.

wel;

wel; and, in fact, history records her ſincere reconciliation with the King, her infinite ſurprize at the murder, and her uniform anxiety to puniſh the regicides *. But they do more than fix upon her enemies the ſuſpicion of a concern in the guilt of Bothwel. Without their concurrence, Bothwel could not have ventured on the murder; and without their aid, he could not have protected himſelf under the weight of its criminality. They gave him their concurrence, and afforded him their aid. The conſequence was inevitable. He came off victorious from his trial. It was in their power immediately upon the murder to have completed his deſtruction. But without the marriage they could not accompliſh the overthrow of the Queen. They, therefore, aſſiſted him with the bond recommending him to be her huſband, and combined with him to effect the marriage. This brought their affairs to a criſis; and the nuptial ſolemnity was no ſooner concluded than they openly revolted, not only againſt the earl of Bothwel, but againſt the Queen. The integrity and innocence which they had aſcribed to this nobleman in the bond had no longer any exiſtence. They exclaimed againſt him as foul with murder and infamy. In the bond they had repreſented the marriage as the moſt ſalutary and the moſt fortunate event

* In the inſtructions which the Queen gave to her deputies previous to the conference at York, ſhe alludes to the deſire ſhe had always entertained to puniſh the murderers, and to the arts employed by her adverſaries to defeat this purpoſe. "I lament mair heichlie the trajedie of my huſ-"band's deith, nor ony uther of my ſubjectis can do: and "gif they had ſufferit, and that I had been permitit to "uſe my authoritie, untroublit be my ſubjectis, I had "puniſht the committaris thirof as apperteinit: Likeas I "am zit willing to do the ſamin as law and juſtice will re-"quire." Goodal, vol. ii. p. 342.

that

Book IV. that could happen, and they had pledged themſelves by a ſolemn oath and engagement to uphold it at the expence of their lives, their fortunes, and their honour. But the moment that it was atchieved, they exclaimed againſt it as unnatural, monſtrous, and horrible. The ſame ambition which had prompted them in their former courſe, ſtimulated them in their new direction. All their meaſures tended to the uſurpation of the royalty; and they finally compaſſed the object of their purſuit. In the ſtate of their exaltation, they were expoſed to dangers, and alarmed with fears. There was a neceſſity for them to vindicate their tranſactions againſt the Queen. No apology but her guilt could be of any avail to them. They, therefore, formally imputed to her a concern in the murder of the King, with a view to the marriage with Bothwel. The letters were fabricated. Their ambition, the murder of the King, their protection of Bothwel, the bond, the marriage, their rebellion, their ſubverſion of the government, the regency of the earl of Murray, and the letters are all linked together in an inſeparable connexion. They eſtabliſh, beyond a doubt, the innocence of the Queen; and they vouch and teſtify in a manner the moſt clear and irrefragable, the unlimited perfidiouſneſs, and the execrable cruelty of her enemies *.

The

* In the inſtructions of the nobles, barons and clergy of Mary's party to her deputies there is a forcible detail of the ambition and rebellious practices of the earl of Murray and his faction. It deſerves to be attended to as containing the ſenſe in which a moſt reſpectable body of his contemporaries underſtood his tranſactions and character.

" Gif the ſubjects uſurpers of our ſoverane's authority " will alledge and object for colour and defence of their " wickit and unjuſt proceedings, that their enterprize was

" upon

The evidence which points to the forgery of the letters is profuſe and inſtructive. In its ſeparate

The letters are a weak and palpable forgery.

"upon the juſt deſerving of our ſoverain, by reſſoun of the "ſuſpicion had againſt her highneſs for her alledgit conſent "to the murder of her huſband; ze ſall anſwer and declare "that they can pretend no colour of defence by that way "to their proceedings, becauſe the hail progreſs of their uſage "in times paſt, continually ſince the Queen's arrival in "Scotland, has declarit the effect of their meaning, whilk "principally was groundit upon twa cauſes; the one for "the furth ſetting of the religion, and the other for the "puniſhment of the murder of the King: Suppois it is "evident, the ſame has nocht being their principal intention, "but rather to aſpire to the hieſt place and government of "the realme. For it is maiſt true that our Soverane "has never made any alteration of religion whilk her grace "found ſtanding at her firſt arriving, but has appointit the "miniſters ſtipends whair they had none of before.

"And further, the Queen's majeſty, by adviſe of the "three Eſtates of her grace's realme, ſatisfyit the deſire of "the hail nobility, by an act of parliament made concern-"ing all the points of the religion, in the parliament "halden at Edinburgh the 15th day of April, 1567, as "the ſame proports at length.

"And as to anſwer the other part, it is to be diligently "and adviſitly remembrit and conſiderit how ſhortly after "our ſoverain's home coming frae the realme of France, "in Scotland, the earl of Murray, having reſpect then "(and as apperis yet by his proceedings) to place himſelf "in the government of this realme, and to uſurp this king-"dom, by his counſale cauſit the Queen's majeſty become "ſwa ſubject unto him, as her grace had been an pupil, in ſic "ſort that her hieneſs ſubjects had not acceſs unto her grace, "to propone their awn cauſes, or to reſaif anſwer thereof, "but by him only; ſwa that he was only recognoſcit as a "prince, and her majeſty but a ſhadow; and wha preſſit to find "fault with his abuſes, he did purſue them with ſic cruelty, "that ſome of the principal men he cauſit put to deid, de-"ſtroying their bairns, houſes, and memory, and cauſit "uthers be baniſhit the realme, and put uther noblemen in "preſoun, and detainit them there; and having the prin-"cipals thus dejectit of their places, he proponit to the "Queen's majeſtie to have the crown tailzeit, and himſelf "to have the firſt place, quilk her grace plainlie refuſit, "alledging ſhe would not defraud the righteous heirs, and

"als

ſeparate parts it is powerful and ſatisfactory. When taken together, and in the union of its parts,

"als feirit thereby the wrecking of herſelf, and ſecluding "of her grace's ſucceſſion; in reſpect the deſyrer of the "ſaid tailzie would never conſent any way that her majeſty "ſould marrry any ſic prince as made ſuit at her hieneſs "tharefore, colouring the ſame upon the alledging of mony "inconveniences that micht follow upon the marriage of "gryt princes; whilk her majeſty partly conſiderit to be "of truth: And ſwa by the common inclination of all "princes, and other women, whilk rather deſires to aſcend "nor deſcend, for retaining the realm at liberty, and to be "thrallit to na utheris, was content to dedaigne her hieneſs "to accept the lord Darnley to her huſband, thinkand "therethrow to obtain greateſt favours of all them of that "ſurname. But the contrair is knawen, and what impedi-"ment was made thereto by the ſaid deſyrer of the ſaid "tailzie, wha by himſelf and his aſſiſters conſpirit the "ſlauchter of the ſaid lord Darnly, being then appointit "to be marryit with her grace, and als of his fader and diverſe "other noblemen being in her grace's company and fol-"lowers at that time, and ſo to have impriſonit her hieneſs "ſelf in Lochlevin, and deteinit her grace there all the "days of her life, and he to have uſurpit the government: "Whilk conſpiracy was near put in execution in the "moneth of June 1565, at the kirk of Baith, as many "wha was in counſell with him (and drawn ignorantly "thereon) can teſtify*. And he ſeeing the ſame revelit "drew

* Mr. Ruddiman, whoſe tranſcript of this paper is before me, makes the following note with regard to the raid of Baith. "The chief perſons engaged in that conſpiracy were the duke of "Chaſtelherault, the earls of Argyle and Murray, who were after-"wards joined by the earls of Glencairn and Rothes, the lords "Boyd and Ochiltree, Gawin commendatar of Kilwinning, Sir "William Kircaldy of Grange, and a great many other gentlemen "and magiſtrates of Burghs. They were favoured at firſt by that "brave nobleman Jo. Maxwel of Terrigles, called maſter of Max-"wel, and afterwards lord Herries. Their chief motive was, the "danger ſome of them thought, and others pretended, their religion "would be in by the Queen's marriage with a papiſt, the lord Darnly, "as well as his father and mother being known to be of that re-"ligion. But the greater part of them, having no deſign to offer "violence to the Queen's perſon, nor to carry things to that ex-"tremity that the earl of Murray and his ſpecial aſſociates intended, "ſoon after made their peace with the Queen, and (as appears by "this

parts, it is invincible. But amidſt all its co- Book IV.
gency and ſtrength, there is a circumſtance moſt

"drew ſundrie to his opinion, under colour of religion, "wha were baniſhit with him, and tuik refuge in Eng- "land.

"And thereafter he perſaving that they would not ſtay "the marriage, and als that it pleiſit God that her grace "was abil to have ſucceſſion, and ſwa being great with "child, they inventit the ſlauchter of her majeſtie's ſe- "cretar in her hieneſs preſence, and cruellie performit "the ſame, and held her maiſt noble perſon in priſoun, "entendand by that way the death of her majeſtie throwout "heich diſpleaſure, ſecluding of her ſucceſſion, and als "of her ſaid huſband, be reſſoun he was ſeducit to conſent "thereto. But then ſeeing that her grace with the plea- "ſure of God did eſcape their hands, and relief herſelf "of preſoun, whairthrow that the doers thereof was ba- "niſhit for their enterprize, and als heiring of the zoung "behaviour (throw fulage counſel) of her ſaid huſband, "they cauſit make offers to our ſaid ſovereign lady, gif her "grace would give remiſſoun to them that was baniſhit at "that time, to find cauſes of divorce, outher for conſan- "guinitie, in reſpect they alledgit the diſpenſation was not "publiſhed, or elſe for adultery, or then to get him con- "vict of treſoun, becauſe he conſentit to her grace's re- "tention in ward, or what utherwayes to deſpeach him: "whilk altogether her grace refuſit, as is manifeſtly "knawen, ſwa it may be cleirlie conſiderit, and is a ſuffici- "ent preſumption in thir reſpects, her grace having the "commodity to find the means to be ſeparit, and yet would "not conſent thereto, to appear that her grace would never "have conſentit to his murther, havand ſic uther likely "means to have been made quit of him by the lords own

"this deed) became moſt ſtrenuous defenders of her cauſe. And "had it not been for the powerful aſſiſtance that was given to the "adverſe party by the Queen of England, they would ſoon have "reſtored their ſovereign to her throne. But that Queen, inſtead "of ſupporting Queen Mary, as ſhe had promiſed, proved her moſt "cruel enemy, and after eighteen years cloſe confinement of her, "at laſt cauſed to be executed that bloody ſentence againſt her, which "was long before intended by ſome of her own moſt wicked ſubjects. "So that we may not unfitly apply to Queen Elizabeth and her "miniſters, what was ſaid of Pope Urban VIII. and his nephews: "*Quod non fecere Barbari, fecere Barberini.*" See Animadverſions on a Treatiſe intitled a Vindication of Buchanan, p. 96.

"device,

Book IV. moſt peculiarly in its favour, and of which it required no aid or aſſiſtance. By this peculiarity it is caſed completely in ſteel, and armed at very

" device. But that may be inferrit, that they were the " doers thereof only, as was deponit by them wha ſufferit " deid therefore, wha declarit at all times the Queen our " ſovereign to be innocent thereof.

" And whair they alledge her grace is found guilty " thereof, by act in parliament halden by them, it is to be " anſwerit, there was nathing done in thair parliament that " might prejuge the Queen's honour in any ſort, her grace " never being callit nor accuſit thereof. For what was " done, it was not to declare her grace guilty of ony crime, " whilk of reſſoun na ways could be done contrare her Ma- " jeſty uncallit; but only an act made for ſafety of them- " ſelves fra forfalture, wha treſſonablie pat hands on her " majeſties noble perſon, empriſonit her grace, allenerlie " founding their proceedings upon juſt meaning as thay " alledgit; quhilk ſindrie nobilmen that was hir grace's " favourites then preſent, buir withall, maiſt principallie " for ſafety of hir grace's lyfe, quhilk, or thair cuming to " parliament, was concludit and ſubſcryvit be ane greit " pairt of hir takeris, to be taken from hir in maiſt cruel " manner, as is nutourlie knawin; ſuppoſe ſindrie of the " nobilmen partakeris with thameſelfis refuſit to ſubſcribe " the ſamin, or conſent to her deid in any wayis. And in " caiſe ony ſic act had bene made, the ſamin cannot pre- " judge hir majeſtie in ony ſort, in reſpect they had no " lauchful power to hald parliament. And als it is againſt " all lawis and reſſoun to condemn ony creature on life, " while they be firſt callit to uſe their lauchfull defence, or " at leaſt preſentit in judgment and heard.

" And ſicklike it is againſt all lawis and reſſoun, and als " it was never ſeen in practes that ever the ſubjects war " judges of the prince, but ſuld alwayes obey them; zea " albeit thai be wickit, as the ſcripture declaris. And it is " of truth, as zou cannot deny, that her Majeſty, imme- " diately after her taking, divers times was content to admit " the hail nobility and the three Eſtates of the realme juges, " her hieneſs alwayes being heard to declare her awin part " in their preſence, quhilk altogether was refuſit.

" Swa every man may perſave their hail ſuit is according " to their firſt pretence, to ſeclude her grace, and her ſuc- " ceſſion of her body, and alſo them of line, as the uſing of " my lord duke and his friends inſtantly declaris." Ruddiman, Appendix to Animadverſions on the Vindication of Buchanan, No v. Goodal, vol. ii. p. 357. 359.

every point. The letters have come down to us in the French, the Scottiſh, and the Latin languages. Now the conſpirators alledged that they were written by the Queen in the French language. From their examination, however, in theſe different languages it appears demonſtratively, that they were written originally in the Scotch language; and that the pretended French originals are a tranſlation from the Latin of Buchanan, which is a verſion from the Scotch *. The

* This demonſtration is given by Mr. Goodal in a maſterly and ingenious manner; and I refer my reader with pleaſure to his performance. See Examination of the Letters ſaid to be written by the Queen of Scots to Bothwel, vol. i. p. 77. 114. I am aware that ſeveral writers have ventured to contradict Mr. Goodal; but with regard to his remarks and details concerning the forgery of the letters, they have not, according to my apprehenſion, advanced any facts or reaſonings that are of real importance. At the ſame time I am ready to confeſs that the work of Mr. Goodal is in many reſpects improper and exceptionable. His admiration of Mary is exceſſive, and even romantic. His attempt to give integrity and honour to the earl of Bothwel is a moſt wild and impracticable atchievement. Where he is weak, the violence of his prejudices expoſes him to ridicule; and where he is ſtrong, the magiſterial deciſiveneſs of his tone is diſguſting. His critical examination, notwithſtanding, of the ſuppoſed letters to Bothwel, if conſidered with impartiality will, I imagine, be allowed to be acute, able, and convincing. Though I have taken a different road from him I have been indebted to his pains and induſtry; and as his performance has been neglected by the public, I feel the greater diſpoſition to ſpeak of him with a due praiſe. His knowledge in our hiſtory was moſt extenſive; and his preciſion in thinking and in expreſſion is uncommon.

When I mention Mr. Goodal it does not become me to forget the labours of Mr. Tytler. This intelligent and ingenious author meets Mr. Hume and Principal Robertſon upon the great heads of the diſpute about the honour of Mary; and upon a ſlight ſurvey of his obſervations I once intended to have joined my forces to his, in refuting the able and hypothetic partiality of the former hiſtorian, and in

Book IV.

The private production of the letters to Elizabeth.

The letters, ſo weak on every ſide, and ſo incapable of ſuſtaining any ſcrutiny give the marks of ſuſpicion and guilt in all the ſtages of their progreſs. Even with the parliamentary ſanction afforded

in expoſing the feeble and unargumentative pertinacity of the latter. But I ſoon perceived that whatever I wiſhed more particularly to remark concerning theſe writers would be greatly miſplaced in a work of this kind; and that upon the ſpecial topics of controverſy examined by Mr. Tytler any aid of mine was unneceſſary. His opponents have long ſince fled from the field and left him in poſſeſſion of it; and as the acquiſition and the eſtabliſhment of the truth ought to be the firm and invariable purſuit and purpoſe of all hiſtorical inquirers, they ſhould doubtleſs have acknowledged their defeat. Nor would ſuch an acknowledgment have argued any meanneſs in them. On the contrary, it would have done them the greateſt honour. For, by having conſtantly refuſed to do this juſtice to the public, to themſelves, and to him, or to reply to his arguments, if they really imagined them inconcluſive, they are neceſſarily expoſed to a cenſure that preſſes with violence againſt their candour and authority. Though I have not found it expedient to tread in his footſteps, any more than in thoſe of Mr. Goodal, and could not think to follow him as a guide or a maſter, yet I muſt own that his book has inſtructed me; and when I affirm that upon the topics which he treats, his controverſial vigour requires no advantages from me to make it deciſive; I mean not to pay him any compliment which he does not merit. If his work had been weaker than it is, I ſhould have deemed it abſolutely neceſſary to have added in many inſtances my ſtrength to his; ſince it is my ſincere opinion, that truth and juſtice are upon his ſide. And it will be perceived that I have conſulted my generoſity in abſtaining from taking a part in his victory. When Douglas at the battle of Bannockburn ſaw Randolph beſet with foes and in cloſe conflict, he haſtened to aſſiſt him. But as he approached, the antagoniſts of Randolph being preſſed with ſkill and valour fell into diſmay and diſorder. "Halt*, cried Douglas to his companions, let us not di-"miniſh the glory of this gallant warriour, by ſharing "in it."

* Lord Hailes, Annals of Scotland, vol. ii. p. 45.

To

afforded to them by the three Eſtates, which the earl of Murray aſſembled upon the xv. day of December, MDLXVII. he felt the delicacy and the danger of employing them openly to the purpoſes for which they were invented. For while he was ſcheming with Elizabeth, his accuſation of the Queen of Scots, he took the precaution to ſubmit privately the letters to this princeſs by

To thoſe of my readers who are partially acquainted with Scottiſh affairs it may appear, that in the courſe of my narration I ought at times to have referred to the hiſtory of Queen Mary as compoſed by Principal Robertſon. The popularity of this author which was once very conſiderable, renders it in ſome meaſure neceſſary, that I ſhould account for a conduct, which may otherways be miſinterpreted into a ſtudied neglect, or into an improper omiſſion. In a work entitled, "Obſervations concerning the public law, and "the conſtitutional hiſtory of Scotland," * I have inquired attentively into the real abilities and merit of this writer, and have taken the trouble to deſcribe with preciſion the rank that belongs to him as a Scottiſh hiſtorian. It is to this work, accordingly, that I muſt appeal upon the preſent occaſion; and I think it will completely ſatisfy all candid and rational inquirers, that I have avoided with propriety to conſider his performance as an hiſtorical authority. It has not indeed eſcaped my remark, that this book of mine gave riſe to an extreme and paſſionate diſſatisfaction in Principal Robertſon and his more particular and admiring friends. But they have been careful not to publiſh the reaſons of their diſcontent; and I thence believe and truſt the more firmly, that I aſſumed no liberties in it which I had not a full title to employ. I did not gratify any pride by differing from him in opinion; I ſtated the notions he inculcates in the moſt laboured and the moſt perfect portion of his performance with entire impartiality, and oppoſed them with argument; and I was ready and willing to give up my facts and reaſonings altogether if they were ill-founded and fallacious. It became me to attend not only to the criticiſms of my friends, but to thoſe of my enemies. This attention I did not neglect; and while I have found no reaſon to retract the doctrines I advanced in it, I have diſcovered nothing that is too powerful, expreſſive, or unbecoming in the ſtrain and manner with which I diſtinguiſhed it.

* See Appendix I.

Book IV. the agency of Mr. Wood, his ſecretary. This ſuſpicious tranſaction took place early in the month of June MDLXVIII; and its object was moſt flagitious, and preſſes not only againſt his integrity, but againſt that of the Engliſh Queen. Before he would advance with his charge, he ſolicited from her an aſſurance, that the judges to be appointed in the trial of Mary, would hold the letters to be true and probative.

The earl of Murray gives a receipt to the earl of Morton for the box and its contents.

By the encouragement of Elizabeth the earl of Murray was prevailed upon to come to the reſolution to prefer his accuſation. He was ſoon to depart for England upon this buſineſs. A privy council was called by him at Edinburgh. He took up in it with formality the letters from the earl of Morton, and gave a receipt for them to that nobleman. This receipt is remarkable and intereſting *. It is dated upon the XVI. day of

* The earl of Murray's receipt for the box and the letters. From the records of Murray's privy council.

"Apud Edinburgh, 16 Sept. Anno Dom. 1568.

"The quhilk day, the nobill and potent prince James "erll of Murray, lord Abirnethie, Regent to our ſoverane "lord, his realme and liegis, grantit and confeſſit him to "have reſſavit fra James erle of Mortoun, lord of Dal-"keyth, chancelar of Scotland, ane ſilver box owergilt "with gold, with all miſſive letteris, contractis, or obliga-"tiounis for marriage, ſonettis, or luif-ballettis, and all "utheris letteris contenit thairin, ſend and paſt betwix ye "Quene, our ſoverane lordis moder, and James ſumtyme "erll Bothvile. Quhilk box, and haill pecis within the "ſamyn, wer takin and fund with umquhile George Dal-"gleiſche, ſervand to ye ſaid erll Bothvile, upon the XX. "day of Junii, ye zeir of God 1567 zeirs; and thairfoir "the ſaid lord Regent for himſelf, and takand the burding "upon him for ye remanent nobillmen, and utheris, pro-"feſſing the querrel and obedience of our ſaid ſoverane "lord, exoneris, quitclaimis and diſchargis the ſaid erle of "Mortoun of the ſaid box, and of all the ſaidis miſſive "wrytings, contractis, obligatiounis, ſonettis, luif-ballet-"tis, and utheris letteris quhatſumevir fund and contenit "thairin,

of September, MDLXVIII. It contains the first mention that appears in history of the discovery of the letters as in the actual possession of Dalgleish upon the XX. day of June, MDLXVII. For Dalgleish being alive upon the IV. day of December, MDLXVII. when the earl of Murray atchieved the act of council which is the æra of the first evidence of the existence of the letters, and upon the XV. day of that month, when the three Estates affected to sustain their authority, it was not proper at those periods to have made a formal mention of his name. But this person having been executed in January, MDLXVIII. there was no longer any hazard of his giving a contradiction to the adversaries of the Queen. This, however, is not the only suspicious circumstance Book IV.

"thairin, the tyme of his recept and intromissioun thair-"with; testifeing and declaring, that he has trewlie and "honestlie observit and kepit the said box, and haill writtis "and pecis forsaids within the same, without ony altera-"tioun, augmentatioun, or diminutioun thairof, in ony "part or portioun: And, als the said lord Regent, upoun "his honour, faythfullie promittis, that the said haill let-"teris and writtingis sal be alwayis readie and furthcumand "to the said erle of Mortoun; and remanent nobillmen "that enterit into the querrel of revengeing of the King "our soverane lordis faderis mourthour; quhensoever they "sall haif to do thairwith, for manifesting of the ground "and the equitie of thair proceidingis, to all quhome it "effeiris." Ap. Goodal, vol. ii. p. 90, 91.

The formality of this receipt in the privy council was meant to give importance to the box and the letters. Its necessity, however, is not very apparent; and like all unnecessary formalities in matters of this sort, it contributes to overturn the authenticity of the papers. It is somewhat strange, that the earl of Murray should have thought it proper to alledge that the earl of Morton had neither falsified, nor diminished, nor added to the papers in the box, while they were in his custody. This must have been an excess of caution; or must be accounted for, from the want of delicacy in that age; for he could not mean to allude seriously to the unprincipled character of his confederate.

Book IV. which is recorded in the receipt. In the act of privy council and in the ordination of parliament in December, MDLXVII. when the earl of Murray and his aſſociates were infinitely anxious to eſtabliſh the criminality of the Queen, the only vouchers appealed to of her guilt were the letters*; and at that time, doubtleſs, they had prepared no other papers to which they could allude. But in the earl of Murray's receipt in September, MDLXVIII. there is mention of other vouchers beſide the letters. He acknowledges that he alſo received from the earl of Morton contracts or obligations, and ſonnets or love verſes. Theſe remarkable papers though ſaid to have been found upon the xx. day of June, MDLXVII. appeared not till September, MDLXVIII. and this difficulty is yet to be ſolved by thoſe who conceive them to be genuine. The general arguments which affect the authenticity of the letters apply to them in full force; and circumſtances peculiar to themſelves evince, at the ſame time, their fabrication. They are not to be accounted for, or explained on the ſuppoſition of the genuineneſs of the letters. But upon the hypotheſis of the forgery of the letters, their uſe and the æra of their invention may be pointed to with an obvious clearneſs. When the earl of Murray had agreed to accuſe the Queen of Scots his anxiety about his proofs was redoubled. His apprehenſions were exceſſive and alarming. The private communication of the letters to Elizabeth in June, MDLXVIII. produced a wiſh, that he could fortify theſe vouchers. For, the letters only were, at this time, exhibited to the Engliſh Queen. The notion that the love of Mary to Bothwel was inordinate required to be ſupported. It was a fundamental principle with the conſpi-

* Haynes. Black Acts.

rators;

rators; and they had no facts by which it could be fixed and illuſtrated. Between the months, therefore, of June and September, MDLXVIII. between the dates of the communication of the letters to Elizabeth, and of the receipt of the box from the earl of Morton, the contracts and the ſonnets were invented; and that they might anſwer their intention, they were made to expreſs and imply in a ſtrong degree, the affection of Mary to Bothwel. The forgery was now finiſhed; and the papers while they mutually evince the weakneſs and impropriety of one another, all concur to eſtabliſh the certain and uniform criminality of the enemies of the Queen. BOOK IV.

As to the caſket or box in which the papers were depoſited, it is ſaid to have contained them from the XX. day of June, MDLXVII. when it is urged that they were firſt diſcovered. Yet of this box in connexion with the letters and papers there is no mention in the act of council, or in the ordination of the parliament where the letters are deſcribed; nor at the time when they were privately communicated to Queen Elizabeth. The XVI. day of September, MDLXVIII. is the date of the firſt mention of the box as containing any vouchers againſt the Queen. This box or caſket had indeed belonged to Mary. She had received it from her huſband Francis II.*

* The initial letter of his name, with a crown over it, appeared upon many places of the box. It is rather, I imagine, againſt the conſpirators, that they ſhould have employed a box of the Queen's to contain papers ſhe had ſent to Bothwel. It is not very probable that ſhe would have given to this nobleman a box which ſhe had received from Francis. The box might with greater probability have been made to contain letters from Bothwel to Mary; and if that unfortunate and flagitious man had been killed at the Orkney Iſles by Sir William Murray and Kircaldy of Grange, it is very poſſible, that the forgery of the conſpirators to defame the Queen, would have aſſumed this form.

Book IV.

and the uſe to which ſhe put it was to hold her jewels. When the conſpirators ſeized upon her jewels it was appropriated by them; and they conceived, that it would give a propriety to their forgeries to lodge them in it.

The earl of Murray is uniformly artful with regard to the vouchers againſt the Queen.

The next date of the diſtinction of the box and its contents was upon the x. day of October, MDLXVIII. In the true ſpirit of the forgery, and with the moſt guilty anxieties the earl of Murray communicated them by his agents to the Engliſh commiſſioners at York in a clandeſtine manner, and not in their public capacity. His ſcheme was to avoid the neceſſity of a judicial or exact examination of them; and to give them the ſtamp of authenticity, and of finiſhed and definitive evidences againſt the Queen of Scots, by his own oath, and the oaths of his aſſociates. His intrigues with Norfolk are ſtill farther illuſtrative of the nature of his ſenſibilities and conſciouſneſs. The diſappointment of Elizabeth occaſioned by his caution, guilt, and timidities, produced the removal of the conferences from York to Weſtminſter. Her reſentments againſt Mary, the ſatisfaction ſhe afforded to his ſcruples, her power, and her promiſes of protection brought him finally to the points ſhe had in view. His public accuſation of the Queen of Scots was delivered; and at length it was ſucceeded by his public exhibition of the box and its contents. It was at this exhibition of them that I interrupted the courſe of my narration to give a diſplay of the power and evidence of the vouchers againſt the honour of Mary. For without this diſplay or deduction, the nature and peculiarities of the public events of this period muſt neceſſarily have been involved in darkneſs and perplexity.

When

When the Engliſh commiſſioners received from the earl of Murray the contents of the caſket, they read the letters and the ſonnets, and comparing them with undoubted and real diſpatches from the Queen, found the hand writing to be ſimilar*. The originals were then collated

8th Decem. 1568. The letters and writings produced by the earl of Murray are examined by the Engliſh commiſſioners.

* In the inſtructions of the Queen to her deputies, previous to the conference at York, there is the following article. "In cais they alledge thay have ony writingis of mine, "quhilk may infer preſumptioun aganis me in that cauſe, "ze ſall deſyre the principallis to be producit, and that I "myſelf may have inſpectioun thairof, and make anſwer "thairto. For ze ſall affirm, in my name, I never writ "ony thing concerning that matter to ony creature: And "gif ony ſic writingis be, thèy ar falſe and feinzeit, forgit "and inventit be thamſelfis, onelie to my diſhonour and "ſclander: And thair ar divers in Scotland, baith men and "women, that can counterfeit my hand writing, and write "the like maner of writing quhilk I uſe, as weill as my-"ſelf, and principallie ſic as ar in cumpanie with thame-"ſelfis. And I doubt not, gif I had remanit in my awin "realm, bot I wald have gottin knawledge of the inventeris and writeris of ſic writingis or now, to the declaratioun "of my innocencie, and confuſioun of thair falſet." Ap. Goodal, vol. ii. p. 342, 343. 9th Decem.

It is probably to Maitland of Lethington her ſecretary that the Queen glances in this paſſage of her inſtructions. At leaſt, it is known, from Crawfurd's Memoirs, that this gentleman had often counterfeited her hand-writing, p. 100. There were many perſons beſide Maitland who could imitate the form of writing uſed by the Queen. There was in particular a young woman called Mary Beton, one of the maids of honour to the Queen, whoſe hand-writing could with difficulty be diſtinguiſhed from her's; and it has been ſuppoſed that this perſon had been allured to lend her aſſiſtance to the earl of Murray and his faction. Jebb, vol. i. p. 524. vol. ii. p. 243. In a letter preſented to Elizabeth by the biſhop of Roſs, in which he preſſes upon the practices of the earl of Murray and his faction, there is the following remarkable paſſage. "My maiſtreſs does affirm conſtantlie, ſcho never did write any ſic letteris as are alledgit, bot "the ſamin are forgit and maid expreſſie be hir adverſaries, "to colour thair ungrate and ungodly behaviour to hir thair

Book IV. lated with copies. After this the earl of Mur-
1568. ray took the former into his keeping; and the latter

" native prince and ſoverane; as thair are ſindrie quha can
" counterfeit hir handwrit, quha have bene brocht up in hir
" cumpanie, of quhom thair are ſum aſſiſtand thameſelfis,
" as weill of uther natiounis as of Scottis, as I doubt not bot
" zour Majeſtie, and divers utheris of zour Hienes's court,
" has ſene ſindrie letteris ſent here from Scotland, qukilk
" wald not be kend by hir awin hand writ, as ſall preſentlie
" be maid knawin, that ſic thingis may be and has bene uſit.
" And it may be ſa weill preſumit in ſa weichty a cauſe, that
" thay quha have put handis in thair Prince, impriſounit hir
" perſoun, and committit ſic hainous crimes, gif a counter-
" feit letter be ſufficient to ſave thame, maintain thair cauſe,
" and conqueiſh to thame a kingdome, at leiſt the ſupreme
" government and auctoritie thairof, for a long ſpace, will
" not leive the ſamin unforgit, cum, ſi violandum eſt jus,
" imperij cauſa violandum eſt." Ap. Goodal, vol. ii. p. 388, 389.

The examination of the letters by the Engliſh commiſſioners appears to have been altogether a farce. No ſcrutiny was made, and no care to attain the truth was exerted. Biſhop Leſly, in his defence of the Queen, has touched upon this ſubject with the good ſenſe and the probity which give ſo great a value to his performance.

" Think ye [he ſpeaks to Murray and his faction] that
" wiſe and expert men are ignorant, how perilous and dan-
" gerous a matter it is to ſuffer any good prouſe upon illa-
" tion of letters, and how eaſy it is for ſome men to imi-
" tate and counterfeit any character? The which a knight,
" lately deceaſed in England, could ſo lively and ſubtilely
" doe, that he who wrote moſte crabbedly and unleageably,
" could hardly diſcerne his own handewriting from the
" knight's counterfeiting hande.

" But who conferred theſe letters, I pray you, with your
" Queene's owne handewriting? Dare you to warrant them in
" this ſo perilous and weighty a cauſe, to have been ſo ex-
" quiſitely and ſo exactly vewed and conferred with all ſuche
" dewe circumſtances as the civil law doth require, were it
" but a civil or a money matter? You wil, peradventure,
" anſwere, that there was dew collation by you made. O
" perfecte and worthy collation! O meete and apt men for
" ſuche a purpoſe!

" As though it is not notoriouſly knowen throughout the
" worlde, that ye are her moſt mortal enemies, as though
" thoſe

latter were detained by the commiſſioners *. At their next meeting the commiſſioners peruſed tranſlations of the letters and ſonnets, and examined the other writings produced by the earl of Murray. The earl of Morton then exhibited a declaration of the manner in which the box with the letters, ſonnets and contracts was diſcovered †. It was now requeſted by the earl of Murray that

" thoſe counterfeit letters were not the underpropped poſtes " and up holders of your whole treachery and uſurped king- " dome; as though that many in Scotlande could not ex- " preſſe and reſemble and counterfeit in their writings the " Queen's very character: And as though there were not " among yourſelves ſome ſingular artificer in this handycraft " and that hath ſent letters alſo in her very name, aſwel into " England, as to other places bylides, without her com- " mendement, or knowledge. How can I choſe then, but " ſay, that this deede is your ſhamefull handycraft, and not " her handwriting? Yea, ſurely, all this is your own fained " forging, and moſt vile counterfeiting.

" If ye be angry with me for thus ſaying by you, I hope " you will be ſone colde with me againe, ſeeing that I wil " not bring out any dead witneſſes, as ye craftily do, con- " trary to reaſon and lawe, quia teſtibus non teſtimoniis cre- " dendum eſt; nor ſuche like, but good, ſufficient, and law- " ful witneſſes, ſuche as ye can not by any juſt exception or " tergiverſation avoyde or elude. And theſe are none other, " but even your own ſelvis.

" For either you muſt bring forth good and apparent wit- " neſſes, to prooye it her hande, or ſome ſuch as were privie " to the meaninge of the ſayd letters; whiche ye neither " yet have done, nor are likely ever to doo. Or ye muſte " graunte, that you were privie to them yourſelves with the " Queen, or at leaſt with the ſaide earle, whom ye ſurmiſe " to have receaved theſe letters, or that all this is by you " malicioufly driven and concluded." Anderſon's Collections, vol. ii. p. 19, 20, 21.

* Anderſon, Collections, vol. iv. p. 151. Goodal, vol. ii. p. 235.

† It is remarkable that Morton's declaration was not found among the other records of the commiſſioners. Its abſtraction is ſuſpicious; and as it appears to have been a formal paper, it is probable that it might have thrown ſome light upon the forgery.

Thomas

Book IV. 1568. Thomas Nelſon and Thomas Crawford ſhould be examined. The former had been a ſervant to the King, and communicated ſome particulars concerning the murder; but though he related that event in ſuch a way as to inſinuate a ſuſpicion againſt the Queen, there yet appeared in his evidence no direct accuſation of her. From the examination of the latter, who was one of the domeſtics of the earl of Lennox, it may be gathered, that ſome incidents founded upon in the letters were real; and as the conſpirators were well acquainted with all the tranſactions of the Queen, it muſt have been ſtrange, indeed, if they could not have communicated an air of authenticity to their forgery, by the introduction of ſome particulars which could be atteſted. No information, however, was given by him, which was of power enough to criminate the Queen. By theſe depoſitions which are frivolous in a great degree, and by the declaration about the diſcovery of the box made by the earl of Morton, the moſt unprincipled man of a moſt unprincipled age, it was thought that the authority of the letters would receive a confirmation and ſupport *.

A remarkable omiſſion of the earl of Murray and his party.

But, while the conſpirators were thus eagerly and ineffectually active to give ſtrength to the letters, it is obſervable, that at this very time, there was actually in their cuſtody in the priſon of St. Andrews, Nicholas Hubert, or French Paris, the perſon, who they ſaid, carried the letters from the Queen to Bothwel. The evidence of this man muſt have been moſt material indeed, if he had really been employed in the ſervice deſcribed; and, in this caſe, it is clear beyond a doubt, that the conſpirators would have availed

* Anderſon, Collections, vol. iv. p. 155. 165. Goodal, vol. ii. 239. 246.

themſelves

themſelves of him. This, however, they did not do; and from their aſſertion in connexion with their neglect, there ariſes a very ſtrong confirmation of their guilt, and of the forgery of the letters. It is remarkable, too, that Nicholas Hubert, when he came to be executed for the King's murder, declared openly, as he ſhould anſwer to God, that he had never carried any ſuch letters, and that it was his firm belief that the Queen was altogether innocent of any concern in the death of her huſband *. Book IV. 1568.

The day after Morton delivered his declaration concerning the diſcovery of the letters, and after Nelſon and Crawford were examined, the commiſſioners proceeded to take the depoſitions of the earl of Murray and his aſſociates. They had formerly ſworn in the moſt ſolemn manner to act with integrity and uprightneſs; and they now avowed and "affirmed upon their honours and "conſciences that the letters, ſonnets †, and "contracts The earl of Murray and his aſſociates ſwear to the genuineneſs of the writings they aſcribe to Mary. 10 December.

* Keith, p. 366, 367. Anderſon, Collections, vol. i. p. 19.

† The ſonnets are ſuppoſed by Mr. Goodal to have been originally written in the Scottiſh language, vol. i. p. 127. He avoids, however, to enter into this ſubject; and a learned and well informed hiſtorian has endeavoured to ſhow, with great appearance of probability, that the ſonnets in the Scottiſh language are a verſion from the French. Lord Hailes, Remarks on the Hiſtory of Scotland, ch. xi. The ſonnets convey the idea that Mary was influenced with the love of Bothwel to a degree of frantic and paſſionate ardour. This idea, which receives no aid from hiſtorical memorials, correſponds exactly with the practices of the conſpirators. From internal evidence, it is obvious, that the ſonnets are ſo fabricated as to appear to have been written by Mary in the interval between the 24th day of April, 1567, when ſhe was forcibly conveyed to Dunbar by Bothwel, and the 15th day of May following, when ſhe married him. Lord Hailes, Remarks, p. 202. In this period, however, it is certain, that ſhe muſt have been under the agitation of ſo many paſſions and cares, that ſhe could not have found leiſure or inclination

Book IV. 1568. "contracts were positively the hand-writing of "the Queen, except the contract written by the "earl of Huntley, which however they under-"stood and perfectly knew to be subscribed by "her *." Their depositions appear to have been

clination for the amusements of poetry. By a comparison too, of the sonnets with the instructions of Mary to the bishop of Dunblain, the ambassador whom she sent to France to apologize for her marriage, it appears that the author of the former had attended minutely to the latter. Now the instructions to the bishop of Dunblain were not drawn up till some time after the 15th day of May, when the Queen was married; and the sonnets, if real, must have been composed before the marriage. The forger of the sonnets having assisted his invention by the perusal of the instructions, opened thus a source of detection against himself; and its power and meaning are sufficiently explicit. Buchanan observes, that the sonnets are not inelegant. Hist. Rer. Scot. lib. xix. This commendation, feeble as it is, seems remarkable from a person of his satirical temper, and of his principles. But as he is more than suspected of a concern in the forgeries against the Queen, this negative praise may be accounted for. He did not wish to discredit altogether even in point of literary ability a fabrication in which his pen had been too busy; and indeed the sonnets, though they have an air of being made and framed for an end, are by no means so despicable as they are often represented to be. The author, whoever he was, had the disadvantage of being in fetters and under constraint; and it is probable, that he had to struggle with the embarrassments of composing in a foreign tongue. But whatever may be the merit of the sonnets as a composition, they cannot without great violence be imputed to the pencil of Mary. Brantome and Ronsard, who were well acquainted with her poetical writings, had no difficulty in pronouncing that they could not possibly have proceeded from her. Addit. aux Mem. de Castelnau, p. 480. Upon this topic too there is yet a standard, from which a judgment may be formed. The elegy written by Mary upon the death of her husband Francis II. has come down to us; and I think it fully sufficient to justify the sentence of Brantome and Ronsard. There is a fancy, a delicacy, an elegance, a character in it, which give it the greatest charm; and the sonnets to Bothwel are in a strain and manner altogether opposite. See Jebb, vol. ii. p. 481.

* Public Papers, ap. Goodal, vol. ii. p. 92, 93.

considered

conſidered as ſatisfactory by the commiſſioners. Yet, from the indubitable certainty expreſſed by them, joined to the peculiarities of the caſe and of their ſituation, they are the more open to ſuſpicion. For on the ſuppoſition that the conſpirators had been actually preſent with the Queen when ſhe was writing theſe papers, they could not have depoſed to their authenticity in a manner more direct, preciſe, and definitive. They gave their oaths and affirmations with a ſovereign contempt of every ſcruple *.

* There were two contracts or obligations, which were forged. The contract ſuppoſed to be written by Mary has been critically examined; and very able judges have compared it with genuine writings by the Queen. See Ruddiman's Notes to Buchanan, lib. xix. It appears to be a lame forgery. The hand-writing bears no accurate reſemblance to that of the Queen; and her ſubſcription was not made in her uſual method. Goodal, vol. i. p. 126. It was a promiſe of marriage to Bothwel.

The other contract ſuppoſed to be written by the earl of Huntley is alſo an engagement to marry Bothwel. In this obligation ſhe is made to preſs herſelf upon Bothwel; and he in order to ſet forward the marriage, is made humbly and reverently to engage himſelf to inſiſt in the proceſs of divorce againſt his wife, the lady Jane Gordon. This mode of proceeding muſt have been unnatural in the Queen, even if ſhe had actually been in love with Bothwel, and can only correſpond with that inordinate and extravagant vehemency of affection imputed to her by the conſpirators. It is obſervable, too, that the conſpirators thought not of calling the earl of Huntley before the commiſſioners, to atteſt the authenticity of this paper; and, in fact, ſo early as the 12th day of September, when the trial of the Queen was in agitation, this nobleman had put his name to a public deed, which aſſerted her innocence in the marriage with Bothwel, and which affirmed the guilt of Murray and his confederates. See inſtructions by the nobility, clergy and barons for the defence of the Queen. Ap. Goodal, vol. ii. p. 354. He was alſo ſoon to join with the earl of Argyle in a direct charge againſt the earl of Murray and his faction of a concern in the murder of the King. I need hardly add, that the general argument againſt the letters is in full force againſt the ſonnets and the contracts. All theſe papers are accurately publiſhed by Mr. Goodal. See his Collections, p. 1. 56.

It

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1568.

It was about this period that the work intitled The Detection of Mary's Doings, written by Buchanan, was preſented to Queen Elizabeth *; a circumſtance which illuſtrates in a forcible manner the injuſtice and the malignity of the enemies of the Queen of Scots. The profligacy of their cauſe required the ſupport of this malicious invective; and it is to be conſidered as a ſupplement to their proofs. It repreſents the Queen as utterly loſt to all ſenſe of propriety and virtue. She is deſcribed as deep and exquiſite in corruption; yet no detail of her progreſs in it is given; and it is not in nature that ſhe ſhould have become abandoned all at once. But if ſhe had, indeed, reſigned herſelf without ſhame to voluptuouſneſs, the examples of her frailty muſt have been frequent and undoubted. Her high ſtation would have expoſed her the more to diſcovery and obſervation. No decided examples, however, of her guilt have been given; and though her adverſaries had the command of her kingdom, no perſons were ever produced or examined who had miniſtered to her paſſions. Her enemies as well as her friends exclaim againſt Buchanan as the tool and the vaſſal of the earl of Murray. In the place of information and truth he ſubſtitutes a boundleſs audacity of aſſertion, and the moſt peſtilent rancour. An admirable but malicious eloquence, miſrepreſentations, and the vileneſs of calumny, characterize his work; and it remains an illuſtrious monument of the wickedneſs of faction, and the proſtitution of wit.

The libel of Buchanan * called the Detection is preſented to Elizabeth.

14, 15 Dec. Elizabeth, being reſolute never to admit Mary to defend herſelf, and having now effected the production of the proofs againſt her, which the lord keeper and the other commiſſioners were

The unworthy conduct of Elizabeth.

* Camden, p. 414.

ready

ready to admit as true and valid, it remained that the buſineſs ſhould be terminated with the greateſt advantage to herſelf, and the greateſt detriment to her rival. No ſentence, however, or judgment was pronounced by the commiſſioners. After the depoſitions of the earls of Murray and Morton, and their aſſociates the biſhop of Orkney, the lord Lindſay, and the commendator of Dunfermling, the conferences at Weſtminſter were conſidered to be at an end. For, it was now the object of the Engliſh court to defeat all defence or vindication on the part of the Scottiſh Queen. With this view a new method of action was adopted; and here the uſual duplicity and artifices of Elizabeth diſplay themſelves. She called a meeting of the lords of her privy council at Hampton Court, and for the greater ſolemnity ſhe ordered them to invite to it particularly the earls of Northumberland, Weſtmoreland, Shrewſbury, Worceſter, and Warwick. To this convention or aſſembly, the whole proceedings of the commiſſioners at York and Weſtminſter were related, and the writings which the earl of Murray had produced were read to them. It appears too, that the original letters ſuppoſed to be written by Mary were laid before them; and that after having been peruſed they were compared for the manner of writing and the faſhion of the orthography with real diſpatches which Elizabeth had received from the Scottiſh Queen. No ſcrutiny, however, accompanied this inſpection. No mention was made that Mary herſelf, her commiſſioners, and the great body of her nobility conſidered them as forgeries. No agent, no advocate was admitted to ſpeak in her behalf. Her commiſſioners were not allowed to be preſent either in a public, or in a private capacity. Elizabeth diſcovered herſelf to be a party with the

The proceedings in the cauſe of the Queen of Scots are formally related to the Engliſh nobility.

earl

Book IV. 1568. earl of Murray; and her nobles did not oppoſe themſelves to her will. Before, too, that the detail of the proceedings of the Engliſh commiſſioners was recited to them, and before the letters were ſubmitted to their obſervation they were enjoined to ſecrecy, under the affected pretence that nothing might tranſpire to the prejudice of the Queen of Scots. To impreſs ſtill farther in the Engliſh nobles the ſtrong conviction entertained of the guilt of Mary by Elizabeth and her commiſſioners, the injunction of ſecrecy was repeated to them, after they had heard the proceedings, and after they had inſpected the letters. When this farce was over, it was proper to proceed to the buſineſs for which they had been chiefly aſſembled. It was made known to them, that Elizabeth was willing and deſirous that the Queen of Scots ſhould be acquitted; but that as ſhe had hitherto refuſed to admit that princeſs to her preſence on account of the ſuſpicions againſt her, ſhe now thought it more expedient than ever to continue in that reſolution, and to deny uniformly every reiteration of this requeſt by the deputies of the Scottiſh Queen; ſince allegations and preſumptions ſo vehement had appeared to her diſhonour. The nobles acknowledged themſelves bound and obliged to her for having communicated to them the ſtate and condition of ſo important a cauſe; and declared, individually, upon their conſciences, that they had ſeen ſuch foul matters as were ſufficient to juſtify her in withſtanding every renewal of the ſuit or petition of the deputies of Mary; and that it conſiſted not with her honour to receive this princeſs into her preſence *.

* Anderſon, Collections, vol. iv. p. 170. 178. Goodal, vol. ii. p. 252. 260.

When

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When fortified with this ſanction of her nobility, Elizabeth called the deputies of Mary to Hampton Court. There were preſent the duke of Norfolk, the marquis of Northampton, the earls of Suſſex, Bedford, and Leiceſter, the lord Clynton admiral, the lord Howard chamberlain, and Sir William Cecil her principal ſecretary of ſtate. She told the deputies, that, to her great admiration and exceſſive grief, matters of a heinous complexion and which ſhe had never expected, had been exhibited againſt the Queen of Scots; and that from the manner in which ſhe was defamed, it was neither fit nor honourable that ſhe ſhould be admitted into her preſence. She added, however, that it was neceſſary that the Scottiſh princeſs ſhould defend herſelf; and that there were three methods which might be adopted by her. Mary might ſend to Elizabeth a truſty perſon with her vindication; ſhe might permit Elizabeth to ſend a nobleman to her to hear what ſhe could urge in her behalf; or ſhe might authorize her deputies to give a reply to the Engliſh commiſſioners. Theſe were remarkable overtures in themſelves, and ſtill more ſo when it is conſidered that no offer was made of ſubmitting to Mary the writings imputed to her. Her deputies were too penetrating not to perceive that by each of them her honour would be made neceſſarily to depend upon the diſcretion of Elizabeth. It was therefore in vain that the Engliſh Queen urged their propriety; and that ſhe even ventured to aſſure the aſtoniſhed deputies, that thoſe who ſhould counſel their Queen to reject theſe modes of defence, would be unworthy ſervants, and under the controul of ſecret reaſons to betray her. The biſhop of Roſs approved not her advice any more than his companions. He recapitulated in their name

16 Decem. Elizabeth finally refuſes to Mary the liberty of appearing in her defence.

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and his own, the behaviour of their miſtreſs during the conferences, held out to remark her entire and uniform willingneſs to accord with every meaſure that was reaſonable and expedient, pointed to the injuſtice and cruelty with which ſhe had been treated, and inſiſted, that ſince ſhe was finally denied the liberty of a proper defence, ſhe might be permitted to return to her own kingdom, or at leaſt to paſs into France, where her dowry would maintain her with the ſplendor that was ſuitable to her birth. As his ſervices and thoſe of his companions ſeemed no longer to be neceſſary to their Queen, he alſo entreated, that they might obtain a paſſport to enable them to return to their own country. To theſe requiſitions Elizabeth poſitively refuſed to return any anſwer, till the Queen of Scots ſhould vindicate herſelf by one of the methods which ſhe had propoſed; and ſhe gave authority to the deputies to go to Bolton to conſult with her upon this ſubject *.

Secret machinations of Elizabeth

It was not without deſign that Elizabeth condeſcended to act with ſuch a determined contempt of juſtice. Her ſecret views could beſt be promoted by alarming the fears of the deputies of Mary; and ſhe even addreſſed a letter to that princeſs herſelf, intimating a belief of her guilt; recommending it to her to defend herſelf according to the methods ſuggeſted to her deputies; and inſinuating that a ſatisfactory vindication of her conduct could alone operate her deliverance †. But while by theſe arts ſhe was ſolicitous to fill Mary with terrors and deſpair, ſhe privately opened an intrigue with Sir Francis Knollys, which reveals the real condition of her mind;

* Anderſon, Collections, vol. iv. p. 179. 182. Goodal, vol. ii. p. 261. 268. † Anderſon, Collections, vol. iv. p. 183, 184. Goodal, vol. ii. p. 269, 270.

and

and from which it is not only to be gathered, that ſhe had a firm perſuaſion of the integrity of her ſiſter Queen, but that ſhe dreaded her perſeverance in the vindication of her honour. She informed him, that it was now her deſire to proceed no farther in the cauſe of Mary; and that it would be a ſatisfaction to her if this princeſs could be prevailed upon to reſide in England, to permit the Regent to continue in the government of Scotland, and to conſent that the young prince ſhould be educated in her realm under the care of Scottiſh preceptors. Upon theſe terms, ſhe ſaid, if Mary could be induced to apply for them, ſhe on her part would agree to commit her cauſe to perpetual ſilence. Having explained this deſign, ſhe enjoined him to ſound the inclinations of Mary, to act in concert with the lord Scroop, and to be early in tranſmitting to her his intelligence. She likewiſe took the precaution to ſend with her letter a memorial containing the reaſons and motives with which he was anxiouſly to move and impreſs the Scottiſh princeſs *.

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Mary,

* "The Queenes Majeſty of England, to Mr. Vice-Chamberlayn, xxij. December, 1568.

"From a minute of Secretary Cecil.

"Right truſty and well beloved,

"We grete yow well. By our letters ſent yeſterday to "yow, we did advertiſe yow of the ſtate of the cauſe of "the Queen of Scotts; and willed yow to prove the Queen "of Scotts meening therupon, if it could be, afore the "comming of hir commiſſionaris. And now we have alſo "furder conſidered therupon, and find, that, in concluſion, "it is thought, of all uther deviſees, this to be the beſt "for us: That the Quene ther might be induced by ſome "good perſwaſions, for avoyding of the great extremities "wherunto hir cauſe may bryng hir, to yelld ſo, as it "might alſo appeare of hir own will, that by way of per-

 "miſſion,

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Mary, in the mean time, did not ſhrink back from the misfortunes which crowded upon her. Hope

The high ſpirit of the Queen of Scots.

" miſſion, that hir ſonne may contynew in the ſtate wherein
" he is; and the regyment alſo in the erle of Murraye,
" as alredy it is ordred by ther parliament; and hir ſelf to
" contynew here in our realme duryng ſuch tyme as we
" ſhall fynd convenient: and hir ſonne nevertheleſs, for his
" ſavety, to be brought into this our realme, to be pre-
" ſerved and educated under the cuſtody of perſons of the
" byrth of Scotland, for a certen ſpace: And this whole
" cauſe of hirs, whereof ſhe hath bene charged, to be
" committed to perpetuall ſilence: And the cauſe of this
" hir yielding and aſſent to be grounded and notifyed to
" procede of hir owne good wil, by reſon of her weryneſs
" of governance, and of deſyre to ſee hir ſonne ſtabliſhed,
" in ſuch termes, to ſave hir honour, as is at more length
" conteaned in the inſtrument deviſed for the dimiſſion of
" hir crown, whyleſt ſhe was in Lough-levin. And foraſ-
" much as this motion can not be well moved to hir, but
" either by ſome of hir owne, being only addicted to hir,
" and whom ſhe ſhall truſt; or by ſome of ours, whom we alſo
" ſhall truſt; we have thought to attempt the proof herof by
" both meanes. Firſt, we would have you, whom we have
" juſt cauſe to truſt, to attempt her herein, and yet to do the
" ſame as of yourſelf, by way of communication and devyſing
" with hir of hir troubles, and alſo of hir own cauſe, and of
" the lyklyhood of ſome end that muſt needs follow. And
" becauſe yow ſhall perceave what reſons ar by us thought me-
" teſt to be uſed in this matter, and for this purpoſs, yow ſhall
" herwith receave a memoryall in wryting, conteyning
" certen apparant reſons to move hir to the ſame, as we
" our ſelves, with the adviſe of certen of our privie-coun-
" ſell, have thought meeteſt: Which memoryall being
" well peruſed and conſidered by yow, we wold have yow
" as ſpeedely as yow maye, begin to deal with hir therin;
" allweis ſo preparyng your ſpeche as comyng only of your
" ſelf, and not by any direction; but rather ſeeming that
" yow wold be glad to deale herin for hir; and, as yow ſhall
" ſee cauſe, to uſe any other reſons to induce hir to this
" purpoſs, ſo to doo; and of hir diſpoſition to ſend us
" anſwer with all the ſpede that yow may. And leſt ſhe
" may have ſome ſpeche hereof with the lord Scroope, we
" thynke it good that yow inform hym of the ſame alſo,
" with great ſecrecy, that he may agree with yow in opi-
" nion, if cauſe be gyven hym by hir to talk thereof.
" And this we wold have done before the biſhop of Roſs

" ſhall

Hope and pride, the companions of ſuffering virtue, ſupported her. In a diſpatch † to her deputies Book IV. 1568.

" ſhall came thyther; whom we have cauſed to ſtay a day or " twoo, upon another pretence; meanyng to cauſe this " matter to be ſo indirectly broken with him, as he ſhall " have cauſe to deale with that Quene herin at his comyng " thyther: And therfor we wold have hir mynd not only " underſtand herin before hand by yow, but alſo prepared " by this purpoſs; and in any wiſe not to be knowen that " you are directed from us in this cauſe."

The memorial mentioned in this letter is loſt; but there is extant a paper from a part of which it was probably tranſcribed. It diſplays the anxious keenneſs of Elizabeth to ſucceed in the deſign which ſhe had recommended to Sir Francis Knollys; and, indeed it was a ſnare which in its ſucceſs would have been cruelly fatal to Mary. It immediately affected her grandeur; it could have been improved againſt her, in defeating the rights of her ſon; and it might have ſerved as a foundation from which to infer the reality of her guilt. The paper from which, I conjecture, that Elizabeth's memorial was tranſcribed is very remarkable, and deſerves to be laid before the reader.

" Projects in Cecil's hand, for terrifying the Queen of " Scots from inſiſting to anſwer and accuſe Murray.

" *What is meeteſt.*

" Firſt, that the Queen of Scots be induced to yield " herſelf to remain in the realme, and not depart; and that " the eſtate of her ſon and the Regent may remain and " continue; and for the more ſurety of her ſon's life, he " may be brought into England, and kept here under the " rule of ſome of Scotland.

" Secondly, that the Regent alſo may be induced to al- " low hereof.

" *Means to do this.*

" Firſt to have the Queen perſwaded hereunto, either " by Sir Francis Knollys, or by the biſhop of Roſs.

" *The reaſons to be uſed are theſe:*

" Firſt, that if the Queen of Scotts will ſtand to her " furder tryal, and ſhew herſelf miſcontented, the Queen's " majeſty cannot but notify to the world her guiltineſs of " the murder, and the reſt of the foul crimes, whereof in " very truth ſhe can no wiſe diſcharge herſelf, as the mat- " ters are to be proved and maintained. And though that

† 19 December.

Book IV. 1568. deputies ſhe inſtructed them to inform her ſiſter, that ſhe was not willing to allow the invented allegations of her adverſaries to die away in ſilence;

" the Regent, or any of his company, ſhall be by her
" charged to be parties to the murder, and to her unlawful
" marriage, yet that is no diſcharge of her guiltineſs.
" Secondly, That her majeſty did reſolve, and ſo cauſed
" to be pronounced to the earl of Murray, at the beginning
" of this conference, that if the Queen of Scots ſhould not
" be found apparently guilty of the murder, ſhe ſhould be
" reſtorit to her eſtate: But if ſhe ſhould be manifeſtly
" proved guilty of the murder, her majeſty would not offend
" God and her conſcience, to bear with a murderer, ſo far
" as to reſtore her to her eſtate; nor yet would allow of any
" other that ſhould aid her thereto, being made participant
" of the proofs of her guiltineſs; but contrarywiſe ſhe
" would, in reſpect of the innocent child her ſon, (whoſe
" life could not be without manifeſt danger, by reſtoring of
" the mother and her party, the Hamiltons, notorious ene-
" mies to the child) maintain the ſaid child, and all the fa-
" voureris thereof, and likewiſe the ſtate of the realm
" wherein ſhe found the ſame at her calling the matter in
" queſtion, as therein the rules of juſtice do warrant her.
" Thirdly, Seeing the Queen's majeſty cannot (without
" manifeſt offence to her conſcience, which ſhe will prefer
" before all earthly things) furder her to her former eſtate,
" the Queen of Scots muſt in good wiſdom think, that,
" conſidering the ſaid Queen hath heretofore manifeſtly, in
" the ſight of the whole world, a thing alſo now regiſtred
" in chronicles, made title to this crown, and hitherto hath
" never made ſatisfaction for the wrong, nor now cannot,
" ſhe may not, without great folly, permit the ſaid Queen
" to be at liberty, to become her enemy, and ſo to ſtirre
" troubles by her allies abroad, which her majeſty muſt
" needs aſſuredly look for at her hands, if ſhe ſhould be
" put to liberty without ſome good former agreement.
" Fourthly, The Queen's majeſty doth certainly perceive
" in this conference, that all the Queen of Scots party, at
" this time, for the moſt, are wholly the Hamiltons, and all
" the other party are merely of the Lennoxes and Stuarts;
" by which means her majeſty eaſily ſeeth, if the Queen
" ſhould be reſtored, and the Lennoxes and Stuarts oppreſ-
" ſed, as otherwiſe it cannot be, what very ſhortly will en-
" ſue of the crown of Scotland, by the Hamiltons, and
" their dependants in blood, as Huntly and Argyle, and
" ſuch

ſilence; and that it was her unalterable purpoſe to vindicate herſelf. She therefore commanded them

" ſuch others are, that neither the Queen herſelf, nor yet " the child, could have long continuance; and beſide that, " how the Hamiltons, to mantain their faction for the " crown, and to keep down the other, would knit themſelves " with France, and bring French and other ſtrangers into " the land; which how unmeet it is for England to endure, " is eaſily to be ſeen.

" Fifthly, The ſaid Queen of Scots may be induced to " allow beſt of the education of her ſon in this realme of " England, conſidering the deſire that ſhe hath always had " to have favour ſhewed to ſuch title as ſhe ſuppoſeth to be " due to her, and her iſſue of her body, to the crown of " England, in caſe God ſhall call the Queen's majeſty to " his mercy, without having iſſue of her body: And in this " behalf there may be much enlarged to move her, not only " to allow hereof, but by all good means to ſue for the ſame.

" Finally, it is thought that beſides theſe reaſons, to be " well uſed to her, it is neceſſary that ſhe may ſee ſome out- " ward effects of the Queen's majeſty's proceedings, tend- " ing to give faith unto her, that, without her aſſenting to " theſe purpoſes above-mentioned, that will follow to her " damnage that can neither be liked of, nor can be revoked, " if the ſame be once put in executioun.

" *Theſe things they are:*

" Firſt, That ſhe be either ſpeedily removed to Bolton, " or the intent thereof ſo uttered to her, that ſhe may look " for no other.

" Secondly, That the erle of Murray may have ſome " open countenance, as one that hath done his endeavour " to produce that which muſt be accepted for truth, untill " contrary matter may appear.

" Thirdly, That it may be manifeſtly declared to the " Queen's commiſſioners, that her majeſty muſt allow of " the earl of Murray and his requeſt, untill ſhe ſhall hear " more from them to diſprove his doings, and will ſurely " mantain him hereafter, if matter ſhall not be manifeſted " to avoid that which is ſhewed.

" *For to prove the Queen's Majeſties detaining of the Queen of* " Scots *juſt.*

" 1. She is a lawful priſoner by good treaties *.

* It is difficult to know what is meant by this article. Perhaps it alludes to the commiſſion and powers of Mary to her deputies in connexion with thoſe of her ſon and Elizabeth with a view to the umpirage of the Engliſh Queen.

Book IV. 1568.

them to adhere to all their former proteſtations, to require copies of all the papers produced againſt her, and to inſiſt that the principal writings imputed to her ſhould be ſubmitted to her inſpection. She would thus, ſhe ſaid, be enabled to confound her enemies, and to diſplay completely her integrity, not only to the Queen of England, but to all other princes whatſoever. At the ſame time, ſhe enjoined her deputies to accuſe formally her adverſaries as the authors, inventors, and executors of the murder of the King; to require upon this occaſion her admittance to the preſence of Elizabeth, ſince ſhe had conferred that diſtinction upon them; and to aſſure her that in a reaſonable time, ſhe would be able to hold out the proofs and teſtimonies of their guilt *.

The earl of Murray is alarmed with the thoughts of a trial.

Amidſt the agitation of this perturbed period, the earl of Murray and his faction felt all the bittereſt inquietudes of fear and guilt. The friends of the Queen of Scots partaking of her ſpirit ſpoke openly of their crimes. To be ac-

The lord Lindſay ſends a challenge to the lord Herries.

" 2. She may not depart untill ſhe have ſatisfied the " wrong that ſhe hath done to the Queen's Majeſty, in " open claiming of the crown, and not making juſt re- " compence.

" 3. The Queen's majeſty's ſuperiority over the crown " of Scotland.

" 4. The Queen's majeſty bound in conſcience to anſwer " the petitions of her ſubjects, in matters of blood, upon " her ſubjects.

" *Means to be uſed to the earl of* Murray.

" 1. His own peril upon the child—*****

" 2. The perils upon the contrary.

" 3. The alliance with the French.

" 4. The conveyance of the child into France." Ap. Goodal, vol. ii. p. 274. 277.

* Public Papers, ap. Goodal, vol. ii. p. 288, 289.

***** This may allude to the danger which might reſult to the earl of Murray from the prince when of age; as it might naturally be expected, that he would revenge the wrongs done to his mother.

cuſed

cuſed by their ſovereign, and to be compelled to undergo a trial, included whatever was moſt terrible to them. It was their anxious care to prevent ſo deſtructive a meaſure; and the earl of Murray, though he knew Elizabeth to be his friend, yet ſtimulated the lord Lindſay to aſſert by the way of arms his honour and that of the faction. This nobleman, the ſlave of imprudent and impetuous paſſions, ſent a challenge to the lord Herries on the foundation of his having affirmed that the earl of Murray and his company had been guilty of the murder of the King. The lord Herries returned him for anſwer, that he knew nothing of the concern of the lord Lindſay in that crime; but that he had ſaid that in the company of the earl of Murray there were perſons who were guilty of it. To this ſpeech he ſtill adhered; and if any of theſe perſons ſhould ſubſcribe ſuch a writing as the lord Lindſay had ſent to him, he would point them out, and fight them. For it was moſt meet and proper that traitors ſhould ſuffer for their treaſon *. The

* "Challenges betwixt the erle of Murray's party and lord Herys.

"From ſtate papers in Biblioth. Pepyſian, Magdalene College, Cambridge, fol. 148.

"I. Challenge to lord Herys by lord Lindſay.

"Lord Hereis,

"I am informit, that ze have ſpokin and affirmit, that "my lord Regentis grace, and his companie here preſent, "wer giltie of the abhominabill murthour of umquhile the "King, our ſoverane lordis fader. Gif ze have ſwà ſpo- "kin, ze have ſaid untrewlie, and thairin have leyit in "zour throte, quhilk I will mantene, God-willing, aganis "zou, as becomis me of honour and dewtie: And heirupon "I deſire zour anſwer. Subſcrivit with my hand, at King- "ſton, the 22d day of December, 1568.

"PATRICK LYNDSAY."

"II. Lord

Book IV. 1568. The perſons to whom he alluded as principals in the murder were the earl of Murray, the earl of Morton, and Maitland of Lethington. But as Maitland had in effect, deſerted the faction, it was only expected that the earls of Murray and Morton would take up the gauntlet which he had thrown to the ground in defiance of them. They declined, however, to enter the liſts; and as the appeal to arms had proceeded from their own party, this neglect or prudence expoſed not only their courage to ſome ſuſpicion, but ſerved to confirm the opinion of their criminality. Neither did it contribute to their advantage, that in the court of Elizabeth they complained loudly of the injuſtice which had been done to them.

" II. Lord Herys's return to the preceeding challenge; car-
" ried by John Hamiltoun of Broomhill.

" Lord Lyndſay,

" I have ſene ane writing of zours, the xxij. of Decem-
" ber, and thairby underſtands, " Ze ar informit, that I
" have ſaid, and affirmit, that the erle of Murray, quhom
" ze call zour Regent, and his cumpanie, ar gyltie of the
" Quenis huſbandis ſlauchter, father to our prince, and gif
" I ſaid it, I have leyit in my throte; quilk ze will mantene
" aganis me, as becumis zou of honour and dewtie."

" In reſpect they have accuſit the Quenis Majeſtie, mine
" and your native ſoverane, of that foul crime, far by the
" dewtie that guid ſubjectis aucht, or ever has bene ſene to
" have done to thair native ſoverane; I have ſaid, " Thair
" is of that cumpanie, preſent with the erle of Murray,
" giltie of that abhominabill treſſoun, in the foirknawledge
" and conſent thairto." That ze wer previe to it, lord
" Lyndſay, I know nocht: And gif ze will ſay that I have
" ſpeciallie ſpokin of zow, ze lied in your throte; and that
" I will defend, as of my honour and dewtie becumis me:
" Bot, let aucht of the principallis that is of thame ſub-
" ſcryve the like writing ze have ſend to me, and I ſhall
" point thame furth, and fight with ſum of the traitouris
" thairin: For meteſt it is, that traitouris ſould pay for
" thair awin treſſoun.

" Off London this xxij. December, 1568.

" HERYS."

For

For the lord Herries inſtead of apologizing for his conduct, avowed it openly, and preſented the lord Leiceſter with copies of the challenge of the lord Lindſay, and of the return he had made to it. The partiality ſo obvious in the management of the conferences, had now turned the current of public favour with violence to the ſide of the Queen of Scots. The caſket and the letters from which ſo much had been expected were not ſpoken of in terms of the higheſt reſpect; and even Cecil himſelf began to be apprehenſive, that Mary would finally atchieve a clear and deciſive triumph over all her adverſaries *.

The deputies of Mary accuſe publicly the earl of Murray and his faction of the King's murder, and demand the production of the writings againſt their miſtreſs, in order to prove them to be forgeries.

It was not the intereſt, and it was far from being the deſire of Elizabeth to behold the humiliation of the earl of Murray. To her he lamented the rumours which had gone abroad againſt him; and ſhe empowered the duke of Norfolk, the marquis of Northampton, the earl of Leiceſter, the lord Howard, and ſecretary Cecil to confer upon this ſubject with the biſhop of Roſs and the lord Herries. The duke of Norfolk having reported to theſe deputies the rumours to the prejudice of the earl of Murray and his company demanded to know, if any of them was diſpoſed to inſiſt upon the charge. They informed him, that upon this ſubject they were armed with a ſpecial command from their ſove-

24 Decem.

* In a memorial written by him enumerating about this time the perils which threatened England, he has the following paſſage. "The marriage of the Quene of Scotts "with Darnley is ended, and hir marriage with Bothwell "ſhall be diſſolved by the pope, and ſo her marriage ex- "pectant is a grete furderance to hir cauſe; which ſhe may "uſe to allure the good wills of many ſtrong princes. The "fame of hir murdering of hir huſband will by tyme vaniſh "awey, or will be ſo by defence handled, as it ſhall be no "grete block in hir waye, to atchieve to hir purpoſees." Haynes, State Papers, p. 581.

reign;

Book IV. reign; and that it was their deſire to be heard publicly before the Queen of England and her privy council. Accordingly, the next day, at Hampton Court, in the preſence of Elizabeth and her privy council, the biſhop of Roſs, the lord Herries, and the abbot of Kilwynning, in the name of their miſtreſs, preferred a formal accuſation againſt the earl of Murray and his company as the authors and inventors, and ſome of them as the executors of the murder of the King. They teſtified the firm determination of their miſtreſs to vindicate herſelf; and they produced the inſtructions they had received from her. They adhered to the proteſtations which they had formerly offered in her behalf; and, as it was impoſſible that forgeries could be completely detected without being ſeen, they claimed the exhibition of the writings which her adverſaries had produced againſt her. Elizabeth, habituated to diſſimulation and artifice, affected to be pleaſed that the Queen of Scots was ſo able to defend herſelf. She yet evaded the carrying of this buſineſs into execution, and gave only a general intimation to the deputies, that ſhe would take their deſires into conſideration *.

1568.

1569. The practices of Elizabeth to intimidate the Queen of Scots are ineffectual.

The inquietudes of the Queen of England, and of the earl of Murray were increaſing every moment. The ſecret tranſaction in which the former had engaged Sir Francis Knollys and the lord Scroop was altogether unſucceſsful. They had practiſed in vain with Mary to induce her to conſent to live in England, and to allow her government to be under the direction of the earl of Murray. It was in vain that the favour of Elizabeth, and the total oblivion of her cauſe were held out to her as the price of theſe conceſſions,

* Public Papers, ap. Goodal, vol. ii. p. 281. 284.

All

All the arguments or motives they could urge of themſelves, or from the memorial they had received from their miſtreſs, were to no purpoſe. The biſhop of Roſs had imparted to Mary the perturbation of the Engliſh Queen, and that the time was at hand when her enemies were to be humbled. Her own ſpirit and judgment explained to her the part which it became her to act. It was not without a lively ſentiment of indignation that ſhe liſtened to Sir Francis Knollys and the lord Scroop. She rebuked them for their affectation of kindneſs, and their ſolicitude to involve her in diſadvantageous meaſures. Her magnanimity ſurprized them. They informed Elizabeth, that from the obſervations they had made, it was their opinion, that ſhe would abide all extremities rather than look back from the hopes with which ſhe was animated; and to ſubdue the loftineſs of her ſpirit, they recomended it as proper, to terrify the biſhop of Roſs into diſtreſs and deſpondency, or to forego every principle of tenderneſs, and actually to maintain by arms the government of the earl of Murray *.

Her diſappointment, and the difficulty of her ſituation.

This intelligence was moſt unwelcome to Elizabeth; and ſhe found herſelf in a ſituation which required all her addreſs and management. The deputies of Mary were impatient to know her determination about the trial of the earl of Murray, and the exhibition of his vouchers; and ſhe was ſenſible that a ſufficient time had elapſed for her full determination upon this ſubject. The more nicely, however, that ſhe ſcrutinized into it, her reſolution became the firmer to refuſe the requiſitions of the Queen of Scots. The trial of the earl of Murray, by the eſtabliſhment of his guilt, would deſtroy himſelf and his faction, and deprive

* Public Papers, ap. Goodal, vol. ii. p. 293, 294. Haynes, p. 498, 499.

her

Book IV. 1569. her of all power in Scotland. The exhibition of the writings would lead to the detection of their forgery, and unfold all the crookedneſs of her own conduct and policy. They were meaſures moſt ominous and detrimental to her; and to the Queen of Scots they gave the promiſe of glory and conqueſt. It was the terror of them that had induced her to turn her mind to a ſettlement with Mary; and the moſt honourable ſettlement ſhe could conclude was a compromiſe, in which the Scottiſh princeſs ſhould appear as a ſuppliant, and in which ſhe herſelf affecting ſuperiority and friendſhip, ſhould condeſcend to accord to articles of agreement *. This favourable temination,

* Among the ſtate papers of Elizabeth at this period, there is a writing which muſt not be omitted in this place, and which is ſuppoſed to be drawn up by ſecretary Cecil. It explains the improper intentions and the inſidious views of the Engliſh Queen.

"A PAPER

" by which it appears that the Queen of England meant to " deal no further in the affairs of the Queen of Scots, " but, upon the ſuſpence, to take advantage to keep her " in priſon. 7th January, 1568. Cot. Libr. Cal. C. " 1. Ap. Goodal, vol. ii. p. 295. 297.

" *The beſt ways are theſe:*

" That generally, whatſoever ſhall be determined, that " the ſame may be obtained to proceed of the Queen of " Scots, as of herſelf, without any open note of compulſion.

" *The ends:*

" 1. That ſhe may require licence to remain in this realm, " free from the troubles of government of her realm; and " that her ſon may remain King, and be brought up in this " realm, in ſurety, from damage of the civil troubles in " Scotland; and the government to be in the earl of Mur- " ray.

" 2. That ſhe may remain in name and title Queen, and " live in England; and her ſon remain King, and the go- " vernment to be in his name as it is; with proviſion that " if the young King ſhall die before he come to a certain " age, without iſſue, that then the government ſhall be in " the Queen's name; or, if ſhe ſhould die before her ſon,

" in

tion, however, of her tranſactions with Mary was a matter which ſhe was not encouraged to expect by the informations of Sir Francis Knollys. The next method the moſt favourable for her, was a compromiſe to be propoſed by herſelf which might ſuperſede the trial of Murray, and the exhibition of the writings; and by the tenor and meaning of which ſhe might contrive to preſerve an

" in the name and real poſſeſſion of her iſſue, and in the " mean time the government as it is.

" 3. That if the Queen will remain Queen, both in name " and poſſeſſion, that yet, for avoiding of her own troubles, " and the common troubles of the realm, ſhe may have her " ſon alſo remain King, and be joined with her in all re- " ſpectis; and that the government may remain, untill the " King ſhall come to xviij. years, in the earl of Murray.

" That although theſe things may ſeem hard to be eſta- " bliſhed, yet upon good conſultation the difficulties may be " holpen by ordinances of a parliament in Scotland, with " penalties to the Queen of Scots, if ſhe break any of them, " to loſe all her right to be Queen, either in poſſeſſion, or " in name; and all other ſubjects that ſhall break the ſame, " for to be adjudged tratouris: So by juſtice the Queen of " England may be allowed to be the defender of the ſaid or- " dinances, and to have power to cauſe execution to be made " againſt the diſturbers of the peace of that land. There " may be alſo hoſtages given on the part of ſuch of the no- " bility of Scotland as ſhall be thought moſt prone to vio- " late the ſaid ordinances.

" *The means to obtain ſome of theſe ends:*

" The Queen of Scots muſt not in any ſort underſtand, " that the Queen's majeſty meaneth to deal any further in " this matter, conſidering ſhe doth not anſwer to the crime " of murdering her huſband, but that the earl of Murray " ſhall return to his government, and ſhall be by her ma- " jeſty placed in no worſe ſtate than ſhe found him at his " calling from thence.

" The Queen of Scots would alſo be removed to Tutbury, " and no ſuch free acceſs of perſons allowed to her as hath " been.

" There would be a general reſtraint, that none ſhould " come or ſend to her but by the Queen's majeſtie's know- " ledge.

" Nevertheleſs

Book IV. an imperial ſway in Scottiſh affairs, and to retain a plauſible pretence to inſinuate and infer the guilt of her ſiſter.

1569.

Mary applies anew for the exhibition of the writings againſt her.

In this ſtate of the anxieties and uneaſineſs of the Engliſh Queen, the deputies of Mary received new inſtructions to inſiſt in her cauſe. They deſired of conſequence to be admitted to Elizabeth and her privy council. At Hampton Court they declared, that their ſovereign was moſt earneſt to proceed in the accuſation which ſhe had preferred againſt her rebellious ſubjects, and to anſwer and refute the falſhoods advanced by them; and they demanded anew, in her name, that the original writings imputed to her ſhould be delivered to them; or if that favour could not be granted, that at leaſt they might obtain copies of them, from which ſhe might be enabled to act in her defence, and to demonſtrate them to be falſe and forged. Elizabeth felt her perplexities to increaſe; and was pleaſed to inform them, that in three days at the fartheſt, they might expect her anſwer *.

7 January.

Elizabeth refuſes to Mary the rights of defence, and propoſes an accommodation.

The firm and undaunted behaviour of Mary is only to be accounted for from her conſciouſneſs of innocence. The heſitating and artificial conduct of Elizabeth is only to be explained from

" Nevertheleſs if the biſhop of Roſs were privately and " ſecretly informed of ſome of the fore-mentioned ends, ſo " as he might counſel the Queen of Scots to the ſame, it " ſhould profit the purpoſe; and yet, openly, by no anſwer " to receive no other comfort, but that the Queen's ma- " jeſty would maintain——

" Likewiſe the earl of Murray would be very ſecretly in- " formed of the ſame, and yet openly anſwered with com- " fort, to continue the ſtate wherein he is.

" For certainly no good end will be offered from the Queen " of Scots, without ſhe ſhall be aſſuredly brought in doubt " that no appointment ſhall be made in her favour."

* Public Papers, ap. Goodal, vol. ii. p. 297. 299.

her

her knowledge of the guilt of the adverſaries of Mary, and from the conſciouſneſs of her own injuries to this princeſs. For, after the courſes ſhe had followed, it cannot be believed, conſiſtently with reaſon and probability, that ſhe would have abſtained from the trial of the earl of Murray and his accomplices, and from the production of the letters, if ſhe had been convinced of his innocence, and of their authenticity; becauſe in this caſe, her reſentments, jealouſies, and rivalſhip would have been completely gratified in the utter ruin of the Queen of Scots. A conviction diametrically oppoſite inſtigated her; and her actions are expreſſive and explanatory. She granted not the requiſitions of Mary, becauſe ſhe was ſenſible, that this princeſs had it in her power to vindicate herſelf. She pretended to deliberate concerning a proper anſwer to the deputies; but no definitive anſwer was ever given to them. In the critical moment, ſhe recoiled from juſtice, and honour, and humanity. Inſtead of admitting the Queen of Scots to the rights of defence ſhe was eager to engage her in a treaty or accommodation. She had already attempted in vain to intimidate this princeſs into an offer of articles of agreement. She now of herſelf made the propoſal of a compromiſe. For, addreſſing herſelf to the biſhop of Roſs, ſhe told him, "that it was "beſt that ſome appointment ſhould take place "between Mary and her ſubjects; that as ſhe "diſliked her ſubjects from their criminal beha-"viour to her, and as they were diſſatisfied with "her government, the accommodation to be "made ſhould conſult the future ſecurity of her "perſon; that, upon this account, it was moſt "expedient, that the Queen of Scots, as being "weary of her kingdom and its government, "ſhould reſign her crown to the prince her ſon, "under

Book IV. 1569. "under the limitation of its returning to her "upon his death; and, that, in the mean time, "ſhe ſhould live privately in England." The biſhop of Roſs gave an anſwer to this propoſal of Elizabeth which was not ſatisfactory to her. He informed her, that although his miſtreſs might be prevailed upon to pardon her ſubjects, and forget their heinous tranſgreſſions, ſhe would never ſubmit to the reſignation of her crown; and that he had her ſpecial command to make this declaration in her name, if it ſhould ever be propoſed as the foundation of a treaty *.

The magnanimity of the Scottiſh Queen.

Mary had foreſeen, that Elizabeth in the view of a compromiſe would inſiſt upon the reſignation of her crown; and ſhe had turned over in her mind all the conſequences of this meaſure. It eſcaped not her penetration, that the natural iſſue of a cauſe to which the attention of all Europe had been called by the formalities of a trial, ought to be a decree of guilt or of innocence; and that if a compromiſe was to take effect, it ſhould carry along with it the unequivocal marks of her integrity. A conceſſion ſo important upon her part without a ſtipulation of this kind, would expoſe her to obloquy and cenſure. It would leave to Queen Elizabeth an opportunity to pronounce or to inſinuate her guilt. Her adverſaries would have a title to ſay, that ſhe had yielded to them whatſoever was the object of their wiſhes; and that, acting herſelf as her own judge, ſhe had virtually confeſſed her errors by conſenting to her humiliation and puniſhment. A force and propriety would be connected with all the calumnies which had gone forth againſt her. They would be accounted to be realities, and her name be mentioned with horror in every country of

* Public Papers, ap. Goodal, vol. ii. p. 300.

Europe.

Europe. Nor was it her honour alone that would suffer by this ſubmiſſion and facility. By ſinking into a private ſtation ſhe would ſubject herſelf not only to Elizabeth, but even to the juriſdiction of her judges. She would loſe the ſanctimonious reverence which guards the perſon of a ſovereign. Leſs reluctance would be diſcovered in invading her rights to the crown of England upon the demiſe of Elizabeth; and in the event of the death of her ſon, an uſurper would be invited to eſtabliſh himſelf in Scotland. In both caſes, ſhe would endanger or forfeit her power of vindicating her claims and her rights. By yielding to the reſignation of her kingdom ſhe would thus deſtroy for ever, or at leaſt caſt into hazard her honour, and her perſon, her pretenſions and her grandeur. It was even with ſome ſentiment of indignation that ſhe received the communications of her deputies upon this ſubject. They had more than once touched upon it in their diſpatches to her; and when ſhe inſtructed them to reject every overture to an agreement which was made to reſt upon this treacherous and deſtructive foundation, ſhe employed a language characteriſtical alike of her innocence, and magnanimity. "I "am reſolute, ſaid ſhe, never to conſent to the "reſignation of my crown. No motives and no "power can compel me to it. Death itſelf is "leſs terrible to me than ſuch an indignity. I "will maintain with my life, the honours of my "birth; and the laſt words I am to ſpeak, ſhall "be in my character of Queen of Scotland *."

BOOK IV. 1569.

Elizabeth preſſes her overture for an accommodation.

Elizabeth, notwithſtanding the declaration of the biſhop of Roſs, continued to inſiſt upon the mode of accommodation which ſhe had projected. Her anxiety, in this inſtance, got the better of

* Public Papers, ap. Goodal, vol. ii. p. 301, 302.

Book IV. her penetration; and she thought that Mary would agree at length to give away her kingdom. She entreated the Scottish deputies to enter so far into her views of amity as to gratify her by writing anew upon this subject to their mistress. The purpose, they told her, of their Queen was fixed beyond the possibility of a change; and they positively refused to comply with her request. She did not yet relinquish the hope of accomplishing her accommodation. She appointed the duke of Norfolk, with the earls of Arundel, Pembroke, and Leicester, and Sir William Cecil to confer upon it privately at Hampton Court, with the bishop of Ross, the lord Herries, and the abbot of Kilwynning. This contrivance, however, was attended with no success. The reasonings of these statesmen made no impression upon the deputies of Mary. They repeated their declaration in terms more strenuous and comprehensive than those formerly employed by them. "The "Queen our mistress, said they, is determined "never to consent to a demission of her crown "in any form, or under any condition in which "it is possible to propose it to her *."

1569. It is finally rejected upon the part of the Queen of Scots.

9 January.

Elizabeth allays the fears of the earl of Murray, and pronounces him to be at liberty to leave her dominions.

10 January.

These repeated and vigorous rejections of her accommodation convinced Elizabeth, that the expectations she had entertained were delusive. It was now her inclination to employ violence, to interrupt and terminate transactions which she could not conclude to her satisfaction by art and management. From her power, which was more efficacious than her policy, she sought a security against an open detection. But by the exercise of her power she betrayed the secrets which she was so solicitous to cover; and her guilt bursts forward to observation under every concealment.

* Public Papers, ap. Goodal, vol. ii. p. 303, 304.

She

She commanded the earl of Murray and his accomplices to attend her privy council at Hampton Court, and by the mouth of Sir William Cecil ſhe allayed completely all his terrors, and raiſed up a barrier to oppoſe the Queen of Scots in her views of a public vindication of her innocence. He was informed by Cecil, in her name, that ſince his arrival in England, nothing had been objected to him, or to his accomplices which could impair their honour as men, or affect their allegiance as ſubjects. He, at the ſame time, admoniſhed them, that they had communicated and produced no information or evidence from which Elizabeth was intitled to conceive any opinion prejudicial to the Queen of Scots; and that, it was therefore her pleaſure to allow the affairs of Scotland to continue preciſely in the condition in which they were ſituated at the commencement of the Engliſh conferences *.

Book IV. 1569.

This ſingular expedient † by which Elizabeth in effect gave up as forgeries the writings imputed

11 January. The adverſaries of Mary are confronted with her deputies.

* Public Papers, ap. Goodal, vol. ii. p. 305.

† There can be no doubt, that the Queen of England acted in this matter in concert with the earl of Murray. In the evening of the very day when this farce was performed, ſhe aſſured the earl of Murray privately by ſome members of her privy council, that ſhe would ſupport him in his power and conſequence. Of this there is an irrefragable voucher. It is a letter from the earl of Murray himſelf to the baron of Craigmillar; and I tranſcribe it not only as expreſſive of the point which it is brought to aſcertain, but as characteriſtical of the pious hypocriſy of this nobleman.

"Efter our maiſt hertlie commendatiounis. Becauſe we "traiſt, God-willing, ſa ſhortlie to viſit zow, we will not "now mak lang lettre, bot in thir few lynis lat zow under-"ſtand the gude helth of us all, praiſit be God. Ziſter-"nycht we had the Quenis majeſtie's anſwer to the counſal, "allowing our doingis, with promiſe to mantene the King's "auctoritie and our regiment. This day we tak lief, and "haſtis us hame, how ſone we may gudelie. In France

 "materis

Book IV. ed to Mary, in order to protect the earl of Mur-
1569. ray was ſucceeded by a ſcene not leſs artificial and remarkable. Having thus guarded the earl of Murray and his adherents againſt all harm and danger, ſhe called a privy council at Hampton Court. There appeared in it the duke of Norfolk, the marquis of Northampton, the earls of Pembroke, Derby, Bedford, and Leiceſter, with Sir William Cecil, and Sir Walter Mildmay. Before this convention of ſtateſmen, who repreſented the Queen of England, there were ſummoned upon the one part the biſhop of Roſs, the lord Herries, and the abbot of Kilwynning, and upon the other, the earls of Murray and Morton, the biſhop of Orkney, the abbot of Dunfermling, Maitland of Lethington, Mr. James Macgill, William Douglas of Lochlevin, Mr. Henry Balnaves, and Mr. George Buchanan. Sir William Cecil addreſſing himſelf to them by the command of Elizabeth, declared, "that his ſove-
"reign had granted a free and unlimited per-
"miſſion to the earls of Murray and Morton
"with their adherents to depart into Scotland.
"But that a rumour having prevailed that theſe
"noblemen and their company were concerned
"in the murder of Henry Stuart, the huſband of
"the Queen of Scots, the earl of Murray had
"deſired to be confronted with the deputies of
"this princeſs to know whether they would ac-

"materis ar in guid cais. And thus, baith in reſpect of the
"beraris ſufficiency, and our awin deliberatioun to be ſone
"at hame, we ceaſe for the preſent, committing zow in the
"protectioun of Almichtie God. At Kingſtoun the xi. of
"Januar, 1568.

"Zour richt affurit freynd,

"Depeſchit the xiij. day. JAMES, Regent.

"For that ze wrait for, ze ſall be
"ſatisfyit in it at our meiting. Ap. Goodal, vol. ii. p. 306.

"cuſe

"cuſe them or not, in her name, or in their own "names." To this ſpeech which the deputies of Mary had ſo little reaſon to expect after the proceedings in which they had been engaged with Elizabeth, they returned a full and explicit anſwer. They ſaid, that "they had received ſpe- "cial inſtructions in the hand-writing and under "the ſignet of their miſtreſs to accuſe the earl "of Murray and his adherents as principal au- "thors and inventors, and ſome of them as exe- "cutors of the murder of the King; that the "letters, containing her commands and inſtruc- "tions were not only communicated by them "to the Queen of England and her privy coun- "cil, but that they had actually preferred pub- "licly the accuſation entruſted to them; that "they had conſtantly expreſſed their deſire to ad- "here to their accuſation, and to inſiſt in it; "that they had uniformly offered to defend the "innocence of their miſtreſs, and to refute the "calumnies of her enemies; that for this end, "they had in vain required and ſolicited, at dif- "ferent times, the exhibition of the writings im- "puted to her; and, that even when exact co- "pies of theſe papers ſhould be lodged with "them, ſhe would act upon her defence, vin- "dicate the charge ſhe had given, diſtinguiſh, "reſpectively the peculiar conduct of the per- "ſons accuſed, and fix and aſcertain their pre- "ciſe guiltineſs in the murder of the King, by "ſufficient and convincing proofs." The de- puties of Mary having made this definitive reply were aſked, "if any of them would, of them- "ſelves, accuſe the earl of Murray or any of "his adherents, and whether they thought them "guilty of the murder?" In return to this queſ- tion, it was ſaid by the deputies, "that as the "conſpiracy againſt the King had been under-

Book IV. 1569. "taken and executed without their participation, "they had no foreknowledge of the deviſers, "inventors, and executors of it; that the infor- "mation of which they were poſſeſſed upon this "ſubject had been communicated to them; and "that as private gentlemen it did not become "them to declare their ſentiments, and to ab- "ſolve or condemn the earl of Murray and his "adherents; but that, when the buſineſs of the "accuſation preſented by their miſtreſs ſhould "be allowed to proceed, they, in their capacity "of deputies, would declare what they thought "and knew, and diſcharge their duty with ho- "nour and fidelity." The earl of Murray and his adherents entered not into any detail in order to vindicate themſelves. They were contented with "denying ſimply that they were guilty of "the murder, and with affirming that they would "go to Bolton to the Queen's own preſence, to "know from herſelf whether ſhe would accuſe "them, as it was their belief that ſhe would not "do it." The deputies of Mary told them, "that it was not neceſſary for them to travel "to her preſence to get the information they "wanted; ſince ſhe had amply declared her "mind concerning them by her own writings "under her ſubſcription and ſignet, which had "been produced before Elizabeth and her privy "council." To this expreſſive intimation no reply was made; and it was ſucceeded by no inquiry into the writings preſented upon the part of the Queen of Scots *.

Elizabeth by an act of injuſtice and power puts an end to the proceed-

The day after this ſcene was acted, the earl of Murray and all his adherents were admitted into the preſence of Elizabeth, and took their leave of her. It was now a matter of expediency that a

* Public Papers, ap. Goodal, vol. ii. p. 307.

period

period ſhould be put to all farther proceedings in this memorable cauſe. The deputies of Mary, accordingly, were called to Hampton Court before the privy council of England*. Sir William Cecil, ſpeaking by the authority of Elizabeth acquainted them, that his miſtreſs had conſidered the deſire of the Queen of Scots to have inſpection of the papers produced againſt her, and was diſpoſed to allow her copies of them; but that previouſly to this conceſſion, it was her pleaſure that they ſhould ſend her a writing under her ſubſcription and ſignet, promiſing to anſwer minutely to the charges and vouchers exhibited by the earl of Murray and his party. The deputies took the liberty to remind Cecil, that the demand made by him had already been granted in its fulleſt latitude; as two writings ſubſcribed by their Queen, and under the ſanction of her ſignet, had been read and ſhown to Elizabeth and her privy council, by which ſhe was engaged and bound to anſwer all the accuſations and evidences preferred by her adverſaries upon the exhibition of the principal papers imputed to her, or of copies of them. Cecil, ſenſible of the infinite impropriety of his ſituation, inſiſted not on the deſire of his miſtreſs. The deputies of Mary now remonſtrated to the privy council of England upon the behaviour of Elizabeth to the Queen of Scots. They complained loudly that the earl of Murray and his faction, who had been permitted to accuſe their Queen publickly to their ſovereign and her privy council, ſhould be allowed to depart into Scotland, before ſhe had the liberty to act in her defence, and to detect their guilt. It was urged

Book IV. 1569. Proceedings in the cauſe of the Queen of Scots. 13 January.

* This council conſiſted of the duke of Norfolk, the earls of Pembroke, Bedford, and Leiceſter, with Sir William Cecil, and Sir Walter Mildmay. Goodal, vol. ii. p. 310.

by

Book IV. 1569. by them as expedient and proper, that they ſhould be detained in England till the trial of the Queen of Scots ſhould be terminated according to the rules and maxims of juſtice and equity. To cloſe the proceedings in her cauſe by the diſmiſſion of her adverſaries was in their opinion a groſs infringement of right, and a deed of unjuſtifiable violence. It was, therefore, demanded by them, that their miſtreſs, that they themſelves, and that their attendants ſhould receive the ſame indulgence, and be preſented with paſſports to return to their own country. They added, that the inconveniencies which muſt neceſſarily reſult from the conceſſion of this favour to the one party, and from the refuſal of it to the other, were many and oppreſſive; and that to detain the Queen of Scots in captivity after withholding from her the rights of defence, would be an inſult the moſt flagitious, and the moſt manifeſt. The privy council of England, affected indifference and phlegm in the reply they made to them. "The earl of Murray, they ſaid, had "promiſed to their ſovereign for himſelf and his "company to return to England whenſoever ſhe "ſhould call upon him. But, in the mean time "the Queen of Scots could not, upon many "conſiderations, be ſuffered to take her departure out of England. As to her deputies, "they would move Elizabeth to allow them to "return to Scotland; and they believed, that "ſhe would not detain them." The biſhop of Roſs, the lord Herries, and the abbot of Kilwynning again entreated them to addreſs their miſtreſs for permiſſion to Mary to reviſit her kingdom and her ſubjects; and, in the event, that this liberty ſhould be refuſed to her, they took the precaution ſolemnly to proteſt, that while ſhe was kept in England againſt her will, and

and in the power of another prince, no deed of her's ſhould have the validity or force either to affect her people, or to prejudge her own honour, eſtate, perſon, or authority *. BOOK IV. 1569.

Such was the unexpected concluſion of a cauſe which had drawn the attention of all Europe. It was moſt cruel and inclement to Mary; yet it was ſtrongly expreſſive of her honour and innocence. It was ſatisfactory to Elizabeth, as no actual decree having been given for the Queen of Scots, ſhe might ſtill pretend to act under the impreſſion of her guilt; yet was her joy incomplete, and daſhed with bitterneſs and remorſe. It was the earl of Murray and his adherents who had the greateſt reaſon to triumph. They not only eſcaped the puniſhment of their crimes, but retained the political conſequence which had tempted them to be guilty. They had alſo eſtabliſhed the Queen of England in their intereſt, by admitting her upon her own deſire to be a party in their ambition, their wickedneſs, and their power; and being poſſeſſed of their box and papers, they were able to counteract or prevent the ſhame of their open and public detection, by committing them to the flames. In fact, the box with the papers has never been diſcovered; and it is not unfair to infer that from what period ſoever their deſtruction may be dated, its immediate reaſon was the conſciouſneſs of their forgery.

* Public Papers, ap. Goodal, vol. ii. p. 311, 312.

BOOK

THE HISTORY OF SCOTLAND.

BOOK IV.

CHAPTER II.

1569.

THE chagrin and disappointment of Mary, upon the singular issue of her cause, were excessive and mortifying. Her friends had increased during the conferences at York and at Westminster; the distresses of Elizabeth had grown to a painful extremity; and the earl of Murray, and his faction, were tortured with apprehensions. The more that their conduct was scrutinized, the more decisively did their devises reveal themselves. Her preparations for proceeding to their trial had been successful; and while Elizabeth was interrupting her hopes of victory, she received from the earl of Huntley, the lord chanellor of Scotland, and the earl of Argyle, its chief justicier, a protestation and charge of the guilt of the earl of Murray and Lething-

The anguish of the Queen of Scots.

The protestation of Huntley and Argyle concerning the guilt of the earl of Murray and Lethington.

Lethington in the King's murder. This paper is of the higheſt authority; and the expectation of its arrival, it is probable, had prompted the indecent precipitation with which the Queen of England diſmiſſed the earl of Murray and his adherents. In this proteſtation and charge, the earls of Huntley and Argyle accuſed the earl of Murray and Lethington as the aſſociates of Bothwel. They appealed to deviſes and practices which were actually employed by them againſt the King; and they imputed to them, as conſiſtent with their knowledge, a ſerious and deliberate intention to deſtroy him. His murder was ſoon after perpetrated. They therefore judged them to be the authors and counſellors of it. This judgment, according to the faſhion of that age, they offered to defend as true and certain by the law of arms. In their paper, of conſequence, they gave an open defiance to Murray and Lethington; and they proteſted, that if they ſhould delay to anſwer directly to their charge and cartel, they ſhould be holden and confeſſed as guilty of the murder. Of this proteſtation and charge there could now be no formal production before the Engliſh commiſſioners. It was made known, however, and publiſhed in the court of Elizabeth; and the earl of Murray, before he left London, entruſted ſecretary Cecil with a reply to it. This reply is evaſive and unſatisfactory. He affects in it ſincerity and honour; yet he avoids to touch upon the great circumſtances upon which theſe noblemen formed their concluſion; and he gives no direct denial of the guilt imputed to him *. Upon the part of

Book IV. 1569.

* Theſe papers deſerve to be ſubmitted to the reader; and I ſhall accompany them with a letter from the Queen to the earl of Huntley, which I conſider as a piece of evidence of great curioſity and weight.

Book IV. of Maitland of Lethington, there appeared no notice or anſwer of any kind.

1569.

Although

'I. The proteſtatioun of the Erlis of Huntley and Argyll, touching the murthour of the King of Scottis.

'A copy. Cot. Libr. Cal. C. 1. fol. 282.

'We George erle of Huntley, lord Gordoun, and great chancellour of Scotland, and we Archibald erle of Ergile, lord Campbell and Lorne, and greit juſticiar of the ſaid realme; it mott be kend till all and ſindrie [to] quhais knawledge thir preſentis ſall cum, how we (being informit that ſum diſobedient ſubjectis to the quene's majeſtie our ſoveraine lady, for excuſe and covering of thair taking armour aganis hir hienes, impriſoning of hir maiſt nobill perſoun, uſurping of her grace's auctoritie, practiſing the kieparis of the principal places and fortreſſis of hir realme, invading thairof, reiving and ſpuilzeing hir majeſtie's pretious movabillis, jewillis, and ſtanes of greit valour, durſt, in lying falſly and calumnioufly, accuſe hir hienis to have bene of the foirknawledge, counſaillit, devyſit, perſwadit, and commandit the murthour committit in the perſoun of umquhile Henry Stewart, hir majeſtie's huſband) will, for the dewtie of guid and faithful ſubjectis, and diſcharge of our conſciences afoir God and the warld, declare that quhilk we knaw of the ſaid murthour. That is to ſay,

'In the zeir of God 1566 zieris, in the moneth of December, or thairby, efter hir hienes's greit and extreme ſeiknes, and retourning from Jedwart, hir grace being in the caſtel of Craigmillar, accompanyit be us abone written, and be the erlis of Bothwell, Murray, and ſecretaire Lethingtoun; the ſaid erle of Murray and Lethingtoun came in the chamber of us the erle of Ergile in the morning, we being in our bed; quha "lamenting the baniſhment of the erle of Mortoun, lordis Lyndſay and Rowen, with the reſt of their factioun, ſaid, That the occaſioun of the murthour of David, ſlane be thame in preſence of the quene's majeſtie, was for to troubill and impeſche the parliament; quhairin the erle of Murray and utheris ſould have bene foirfaltit, and declarit rebellis. And ſeing that the ſamin was cheiflie for the weilfare of the erle of Murray, it ſould be eſtemit ingratitude gif he and his friendis, in reciproque manner, did not interpryſe all that wer [in thair] puiſſance for relief of the ſaidis baniſhit; quhairfoir thay thocht, that we, of our part, ſould have bene deſyrous thairto as thay wer."

'And

Although the earl of Murray had the friendſhip of Elizabeth, and although her exchequer was open to ſupply his neceſſities, and to inſpirit his

Book IV.

1569.

The earl of Murray gives encouragement to the marriage of the Queen of Scots and the duke of Norfolk; and effectuates his return to Scotland.

'And we agréing to the ſame, to do all that was in us for thair relief, provyding that the quene's majeſtie ſould not be offendit thairat: on this Lethingtoun proponit and ſaid, "That the narreſt and beſt way till obtene the ſaid erle of Mortoun's pardoun, was, to promiſe to the quene's majeſtie to find ane moyen to mak divorcement betwix hir grace and the king hir huſband, quha had effendit hir hienes ſa hielie in mony wayis."

'Quhairunto we anſwering, That we knew not how that myght be done; Lethingtoun ſaid, the erle of Murray being ever preſent, "My lord, Cair zou not thairof. We ſall fynd the meane weill enouch to mak hir quite of him, ſwa that ze and my lord of Huntlie will onlie behald the matter, and not be offendit thairat."

'And then thay ſend to my lord of Huntlie, praying him to cum to our chalmer.

'This is as they dealit with us particularly. Now lat us ſchaw quhat followit efter that we wer aſſemblit.

'We erle of Huntlie being in the ſaid chalmer, the ſaidis erle of Murray and Lethingtoun oppinit the matter lykwiſe to us in manner forſaid, promiſing, if we wald conſent to the ſamin, that they ſould find the mean to reſtoir us in our awin landis and offices, and thay to ſtand guid freindis unto us, and cauſe the ſaid erle of Mortoun, Rowen, and all the reſt of that cumpanie, to do the like in time cuming. Our anſwer was, it ſould not ſtop be us, that the matter cum not to effect, in all myght be proffitfull and honorabill baith for thame and us, and ſpeciallie quhair the pleaſour, weill and contentment of the quene's majeſtie conſiſtit. And thairon we four, viz. erlis of Huntlie, Ergile, Murray, and ſecretaire Lethingtoun, paſt all to the erle of Bothwell's chalmer, to underſtand his adviſe on thir thing is proponit; quhairin he ganeſaid not mair than we.

'Swa thairefter we paſt altogidder towardis the quene's grace; quhair Lethingtoun, efter he had rememberit hir majeſtie of ane greit nombre of grievous and intollerabill offences, that the king, as he ſaid, ingrait of the honour reſſavit of hir hienes, had done to hir grace, and continewing every day from evil to worſe; proponit, "That gif it pleiſit hir majeſtie to pardoun the erle of Mortoun, lordis Rowen and Lyndſay, with thair cumpanie, they ſould fynd the meanis with the reſt of the nobilitie, to make divorcement betwixt

Book IV. his enterprize, he was not altogether free from apprehenſions at this juncture. Mary had been ſtimulating

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betwixt her hienes and the king her huſband, quhilk ſould not neid her grace to mell thairwith. To the quilk it was neceſſare, that hir majeſtie tak heid to mak reſolution thairin, als weill for hir awin eaſement als weill of the realme; for he troublit hir grace and us all; and remaining with hir majeſtie, wald not ceis till he did hir ſum uther evil turn, quhen that hir hienes wald be mekil impeſchit to put remeid thairto."

'Efter thir perſuaſiounis, and utheris divers, quhilk the ſaid Lethingtoun uſit, by* theſe that everie ane of us ſchew particuliarlie to hir majeſtie to bring hir to the ſaid purpois, hir grace anſwerit, "That under twa conditiounis ſcho myght underſtand the ſamin; the ane, that the divorcement were maid lauchfullie; the uthir, that it war not prejudice to hir ſone; utherwayis hir hienes wald rather endure all tormentis, and abyde the perellis that myght chaunce hir in hir grace's lyftyme." The earl of Bothwell anſwerit, "That he doubit not bot the divorcement myght be maid but prejudice in ony wayis of my lord prince; alledging the exampill of himſelf, that he ceiſſit not to ſucceid to his father's heritage without ony difficultie, albeit thair was divorce betwixt him and his mother.

'It was alſwa proponit, that efter thair divorcement the king ſould be him allane in ane part of the countrey, and the quene's majeſtie in ane uther, or ellis he ſould reteir him in ane uther realme; and heiron hir majeſtie ſaid, "That peradventure he wald change opiniouu, and that it wer better that ſcho hirſelf for ane tyme paſſit in France, abyding till he acknawledgit himſelf." Then Lethingtoun taking the ſpeache, ſaid, "Madam, Fanzie ze not we ar heir of the principal of zour grace's nobility and counſal, that ſall fynd the moyen, that zour majeſtie ſall be quyte of him without prejudice of zour ſone. And albeit that my lord of Murray heir preſent be lyttill les ſcrupulous for ane Proteſtant, nor zour grace is for ane Papiſt, I am aſſurit he will luik throw his fingeris thairto, and will behald our doingis, ſaying nothing to the ſamin." The quene's majeſtie anſwerit, "I will that ze do nathing quhairthro ony ſpot may be layit to my honor or conſcience, and thairfoir I pray zou rather lat the matter be in the eſtait as it is, abyding till God of his guidnes put remeid thairto; that ze beleiſing to do me ſervice may poſſibill turn to my hurt

* beſide,

and

ſtimulating her partizans to arm themſelves; and the duke of Norfolk, whom he had forſaken, was

and diſpleaſour." "Madame (ſaid Lethingtoun) lat us guyde the matter amangis us, and zour grace ſall ſé nathing bot guid, and approvit be parliament.

'Swa efter the premiſſis, the murthour of the ſaid Henry Stewart following, we judge in our conſciences, and haldis for certane and trueth, that the ſaidis erle of Murray and ſecretarie Lethingtoun were auctoris, inventaris, devyſeris, counſallouris, and cauſeris of the ſaid murthour, in quhat maner, or be quhatſumever perſounis the ſamin was execute.

'And quhair the ſaidis erle of Murray and Lethingtoun, or ony of thame, will deny and gainſay to the forſaid, we ar deliberat to defend the ſamin be law of armis, as our awin proper honour, in quhatſumever place they will cheiſe in Scotland, afoir the eſtatis thairof; out of the quilk realme we cannot paſs, be reſſoun of the troubillis ar thairintill. And gif the quene's majeſtie of Ingland pleiſis to ſend ony in hir name, to heir and ſé the premiſſis defendit, the ſamin ſall be put to execution in thair preſence. And albeit that Lethingtoun be nouther of qualitie nor blude equal unto us, notwithſtanding we will admit and reſſave him in combat with the ſaid erle of Murray, gif they will baith preſent thamſelfis thairto. And quahir ane of them onlie wald deny and ganeſay it that is afoir reherſit, and accept the ſaid combat, outher the ane or the uther of us ſall reſſave the ſamin; proteſting that gif they anſwer not directlie to this our preſent atteſtatioun, declaratioun, accuſation, and cartell, they ſall be repute guiltie and vainquiſſit of the ſaid murthour. In witneſs of the quilk we have ſubſcrivit thir preſentis with our handis, and ſeillis of our armis affixit thairto, at the day of and at the day of the ſaid moneth, the zeir of God ane thouſand, fyve hundred, threſcoir aucht zeris, and of our ſoverane lady's regime the xxvj. zeir.'

'II. An Anſwer by the earl of Murray regent, to the proteſtation of the earls of Huntly and Argyll.

'An Original. Paſſed on the back of the proteſtation.

'Becauſe the cuſtume of my adverſaris is, and has bene, rather to calumpniat and backbite me in my abſence, than befoir my face; and that it may happen thame, quhen I am departit furth of this realme, ſclanderouſlie and untrewlie to report untreuthis of me, and namelie, towardis ſum ſpechis haldin in my hearing at Craigmillar, in the moneth of November,

Book IV. 1569. was diſpoſed to intercept him in his way to Scotland, by his influence with the earls of Northumberland

vember, 1566. I have alreddie declarit to the quene's majeſtie the effect of the haill purpoſis ſpokin in my audience at the ſamin tyme, ſincerelie and trewlie, as I will anſwer to Almychtie God, unconceilling ony part to my remembrance, as hir hienes I traiſt will report. And farther, in cais ony man will ſay and affirm that ever I was preſent quhen ony purpoſis wer haldin at Craigmillar in my audience, tending to ony unlauchful or diſhonorabill end, or that I ever ſubſcrivit ony band there, or that ony purpois was haldin anent the ſubſcriving of ony band be me, to my knawledge; I avow thay ſpeik wickitlie and untrewlie, quhilk I will mantene aganis thame, as becumis ane honeſt man, to the end of my lyfe; onlie this far the ſubſcriptioun of bandis by me is trew. That indeed I ſubſcrivit ane band with the erlis of Huntlie, Ergile, and Bothwell, in Edinburgh, at the beginning of October, the ſamin zeir 1566, quhilk wes devyſit in ſigne of our reconciliation, in reſpect of the former grudges and diſpleaſouris that had bene amangis us; quhairunto I was conſtrainit to mak promiſe befoir I could be admittit to the quene's preſence, or have ony ſchew of hir favour; and thair wes never na uther band atheir maid or ſubſcrivit, nor zit proponit to me in ony wayis, befoir the murthour of umquhile the king, father to the king, now my ſoverane; nouther zit, efter the murthour, wald I ever, for ony perſuaſioun, agré to the ſubſcriptioun of ony band, howbeit I was earneſtlie urgit and preſſit thairto be the quene's commandment.

'This far I thocht guid to put in write, and lief behind me, in cais (as I have before ſaid) my adverſaris, in my abſence, hald ſpeche, and report untrew matteris of me, to my diſhonour or diſadvantage.

'Subſcrivit with my hand at London the nyntene day of January, 1568.

'JAMES REGENT.

'Below is written in ſecretary Cecil's hand; thus;

'19 Januar. 1568.

'An anſwer of the erle of Murray, to a wryting of the erle of Huntly and Argyll*.

When the Queen was collecting her evidence againſt Murray and his faction, ſhe addreſſed the following letter to the

* Ap. Goodal, vol. ii. p. 316—322.

earl

berland and Weſtmoreland. By this time, many letters had been interchanged between Mary and Norfolk; Book IV. 1569.

earl of Huntley. She requeſts in it the proteſtation or charge, which this nobleman and the earl of Argyle had given her a title to expect. If Mary had been guilty, there would, doubtleſs, have eſcaped from her, upon this occaſion, ſome particulars that would have betrayed her criminality. But there is nothing in her letter like guilt or compact; and nothing that can throw any ſuſpicion upon Huntley and Argyle. On the contrary, it gives a ſtrong and natural impreſſion of her innocence, and of their integrity.

'A letter from Queen Mary of Scotland, to the earl of Huntlie, her lieutenant in the north, the 5th of January, 1568-9.

'An Original. Cot. Libr. Cal. C. 1. fol. 280.

'Right traiſt couſigne and counſallour, we greit zou weill. We have reſſavit zour letter be the beirar heirof, datit the v. of this laſt moneth, and has conſiderit the ſame. Notwithſtanding that we have written to zou laitlie anent the eſtait of our effairis, ſa amplie as we war informit thairof, zit this preſent is to ſchaw zou, that my lord Boyd, our traiſt couſigne and counſallour, wha arrivit heir from the court the xxvij. of the ſaid moneth, has delarit to us, how our rebellis has done the worſt thay could to have diſhonourit us, quhilk, thankis to God, lies not in thair powar, bot be † thair expectatioun has found thameſelfis diſappointit of that thay luikt for.

'Thay procure now to ſeik appointment; bot albeit we be not of ſic nature as thais that forgevis never, not-the-leſs we ſall cauſe thame acknawledge thair fuliſhnes, and the ſaid quene, our guid ſiſter, and hir counſal, knaw thair fals inventiounis and offences practiſit aganis us, to cullour thair traiſoun and wickit uſurpatioun; ſwa that it ſall be manifeſt to all the warld quhat men thay ar, to our honour, and contentment of our faythful ſubjectis. For, prayſit be God, our friendis increſſis, and thairis decreſſis daylie.

'Ze ſall reſſave ane letter be this beirar, to be ſubſcrivit be zou, and our couſigne the erle of Argyle, quhilk is maid be my lord Boyd's adwyſe, conform to the declartioun ze maid to our traiſt counſallour the biſhop of Roſs, he knawing zour deliberatioun and will thairintill. And albeit we knaw

† Beſide.

Book IV. 1569. Norfolk; and his ambition and his love had grown under the obſtacles that oppoſed them. Murray

thair is na need to uſe ony perſwaſioun towart zou, quhairthrow ze may be drawin to that quhairintill ze can have nathing bot reputation and honour; and ſeing it is for our juſt defence, calumniate be the unfaithfulneſs and treſſoun of our rebellis, zit we thought guid to wryte unto zou this preſent, praying zou to ſchaw, that the virtue quhilk is in zou, and equitie of our cauſe, may not endure our adverſaris, and zours, to uſe ſic bragging, quhilk, be the faithful report of our commiſſionaris, and utheris, that ar in the court of England, ze may underſtand thay mak aganis us and zou twa, amangis the reſt of our faythful ſubjectis. As to our part, we ar reſolute not to ſpair thame in ſetting the veritie to thair leyis, and hopis, with the grace of God, and the equitie of our cauſe, that all quhilk thay have alledgit aganis us ſall find the ſamin to thair awin ſhame and confuſioun. We refer to zour diſcretiounis to eik and pair the ſaid letter as ze ſall think beſt, and extend it in ſic form as ze ſall think maiſt neceſſare, praying zou to ſend us the ſamin agane ſubſcrivit and ſeillit the ſooneſt ze may, to the effect it may be producit, togidder with the reſt of the accuſatiounis quhilk we intend to give in aganis our traitouris.

'Ze ſall alſwa reſſave ane copie of the quene our ſiſter's anſwer to our commiſſiounaris ſupplicatioun, quhilk ze may conſider. Mairattour, we have underſtand that ze are in propos to change the provoſt of Elgin, quhilk we wiſh and pray zou not to do, bot to retene him quha is in the ſamin office alreddy, ſa lang as he remainis conſtant and faythful to us, ſwa that thair be na uther put in place, as ze will do us pleſour, and report our thankis thairanent. Referring the reſt to the beirar, quhom ze will credit, committis zou to the protectioun of Almychtie God. Off Bowton the 5th of Januar, 1568.

'Zour rycht guid couſigne,
'and aſſurit frind,
MARIE R.

When the profuſe and expreſſive evidence which illuſtrates the honour of the Queen of Scots is attended to, a lively ſurprize is excited that an opinion to her prejudice ſhould have prevailed ſo generally among hiſtorians. This ſurprize, however, goes away, when we enquire into the ſources of

† Ap. Goodal, vol. ii. p. 314, 315, 316.

the

Murray touched upon the point which alone could reconcile this nobleman to him. He affected to be

the prepoſſeſſions againſt her. She was a rigid papiſt; and the reformation took place in her reign. The perſon, whoſe efforts eſtabliſhed the reformation, was the earl of Murray, her inveterate enemy. Hence there ſprung up againſt her an incurable odium. Hence he acquired an immeaſurable popularity. Hiſtorians, though more poliſhed than the vulgar, have too often all their paſſions and prejudices. They have connected together, the Queen of Scots and the abhorrence of popery. They have connected together, the earl of Murray and a reſpect for the reformation. They have ſought induſtriouſly for the guilt of Mary; and were reſolved to find nothing but what was meritorious in the earl of Murray. Their relations of the former have, of conſequence, the air of an invective; and what they obſerve of the latter is almoſt always a panegyric. They give way to their littleneſſes, and are devoutly in the wrong for the glory of God. Yet, it would have argued in them a ſincerer, and more liberal devotion, if they had adhered ſtrictly to the truth. They ought to have known, that the activity of the earl of Murray in effecting the reformation, was a conſequence of his ambition, and not of his faith; and they might have reflected, that the kindneſs of heaven to man, in the moral government of this world, is never ſo indulgently exerciſed as in converting the vices of individuals to the general good, and the emolument of ſociety. It is an extreme, and even a ridiculous folly, to exalt into a ſaint a profligate politician, whoſe whole life was a continued ſeries of crimes, and who was foul with the wickedneſs that is moſt execrable, with rebellion, perjury, and murder.

But it is not only their religious prejudices that have induced our hiſtorians to calumniate the Queen of Scots. To pay adoration to power has been remarked as a fault too common to the writers of all nations; and thoſe of Scotland, I am afraid, have a full title to this imputation. Upon the Revolution, the eſtabliſhment of a new line of princes afforded an opportunity that was moſt favourable to flattery. The opportunity was not neglected. Panegyric and praiſe were ſcattered with a ſhameleſs prodigality. It became the faſhion of conſequence to treat the Houſe of Stuart with indignity. The misfortunes of Mary could not protect her from inſult and obloquy. Courtly and ſycophantiſh writers have ſtudiouſly declaimed againſt her. Without the genius, or the eloquence of Buchanan, they have imitated his ca-

Book IV. 1569. be ſorry for the tranſactions to which he had been allured againſt his Queen; inſinuated a wiſh for her reſtoration; and aſſured Norfolk that if ſhe would paſs an act of amneſty for all faults committed againſt her, he would be happy to forward his marriage with her. As a proof of his ſincerity, he even diſpatched Sir Robert Melvil to the Queen of Scots, with the intelligence of his repentance, and the offer of his ſervices. Mary and Norfolk allowed themſelves to take a pleaſure in his profeſſions. They expected, with a fond credulity, that immediately upon his arrival in Scotland, he would diſcover his friendſhip, and take a ſtrenuous part in the promotion of their marriage. The meſſage which Norfolk had ſent, for the buſineſs of intercepting him, was countermanded. His ſuſpicions, however, not being yet at reſt, induced him to apply for another precaution. Elizabeth, at his deſire, diſpatched orders to the lords wardens of her marches, to protect him in his journey, if any attempts ſhould be made againſt him †; and ſhe preſented him, under the name of a loan, with five thouſand pounds, to reward his paſt attach-

lumnies, and have been eager to ſacrifice her memory to the manes of Queen Elizabeth. For this purpoſe, many records have been abſtracted, many have been miſrepreſented, and many, it is affirmed, have been even * falſified. Hiſtory has been made to deſcend from its dignity, and inſtead of conveying information and truth, has been perverted into a vehicle of outrage and detraction. The cruelty in the fate of this admirable and amiable princeſs, has ſomething in it that is horrible. Her calamities have not terminated with her life. Her fame is impaired by the piety, real and affected, of zealots and hypocrites; and ſhe is diſturbed and perſecuted in her grave by the moſt mercenary of all human creatures, the adorers of tyranny.

† Goodal, vol. ii. p. 323.

* See Goodal's Examination of the Letters ſaid to be written by the Queen of Scots, and the Appendix to it.

ment,

ment, and as an earneſt of her future favour *. He was thus completely relieved from his anxiety and fears. The earl of Weſtmoreland, indeed, with a large body of horſe, ſhewed himſelf in his way, at ſome diſtance, but it was only to call to his mind the generoſity of the duke of Norfolk †. Book IV. 1569.

Mary, in awakening the zeal of the nobles of her faction, indulged her reſentment againſt Elizabeth, and gave the alarm to their patriotiſm, by repreſenting the independency of Scotland to be in imminent hazard. Her diſpatches were full of the promiſes which the Queen of England had violated; and, while ſhe reprobated her treachery in the ſevereſt terms, ſhe aſſured her friends, that the mark at which ſhe ſhot was the ſubjection of the Scottiſh nation. This, ſhe ſaid, was expreſsly the object of a ſecret treaty, which had been concluded between Elizabeth and the earl of Murray. By the articles of this treaty or convention, ſhe informed them, it was ſtipulated, that her ſon ſhould be ſurrendered to the Engliſh Queen; that all the caſtles of Scotland ſhould be kept for her; that Murray ſhould be ſupported in the Regency; that a deed of legitimacy ſhould be procured, to intitle him to ſucceed to the Scottiſh throne, upon the demiſe of the young prince without iſſue; and that immediately upon his acceſſion to this prize, he was bound to declare the realm of Scotland to be a dependent fief of the crown of England, and to hold it as a feudatory or a vaſſal. In this manner, ſhe ſaid, the equity of her cauſe had been renounced by the Queen of England, and miſerably ſold for the ruin of her

The two Queens exaſperate mutually their paſſions and diſguſts.

* Rymer, Fœdera, vol. xv. p. 677, 678. † Leſly, Negociations, p. 36. 41. Melvil, Memoirs, p. 197.

Book IV. 1569. realm, which ſhe judged to be inevitable, if a good Providence, and the fidelity of her ſubjects, ſupplied not a remedy to prevent it. She, at the ſame time, communicated to her friends the intelligence of a league between the earl of Hartford and the earl of Murray. By this compact the parties were mutually engaged to aſſiſt one another in their reſpective pretenſions to the crowns of England and Scotland; and it was ſtipulated, that the former, in conſideration of the practices of Sir William Cecil in his favour, ſhould take in marriage one of the daughters of that ſtateſman. Her deſtruction, and the death of her ſon, ſhe repreſented as events which this confederacy had propoſed to atchieve with expedition; and ſhe urged it as her opinion, that the arts which of late had been employed ſo anxiouſly to procure her reſignation of her crown, and her conſent to the Regency of the earl of Murray, were directed principally to the purpoſe of his eſtabliſhment in the uſupation of the Scottiſh monarchy. She accordingly conjured her party to make open proclamation over Scotland of theſe dangerous combinations; to rouſe and inflame the ſpirit of the nation; to act in her intereſts, and their own, with unanimity and vigour; and, if poſſible, to operate the convention of the three eſtates as a meaſure expedient and ſalutary *.

Mary is conveyed to Tutbury, and committed to cloſer confinement.

One of Mary's diſpatches, which contained and preſſed theſe topics of information, was intercepted by the Engliſh miniſters, and ſerved to embitter the eager and jealous paſſions of Elizabeth. The ſtyle of reproach with which the Queen of Scots characterized her conduct, ſunk deeply into her heart; and ſhe perceived, with in-

* Haynes, p. 503. 506. Goodal, vol. ii. p. 325. 327.

finite

finite concern, the anxieties and troubles to which she would be exposed by the penetration, the activity, and the unyielding spirit of this princess. To defeat her machinations, she issued manifestoes in the northern counties of her kingdom, disclaiming all hostile intentions against the independency of Scotland; complaining of reports injurious to her honour and sincerity; and affecting to consider the earl of Murray as well disposed to the welfare of his nation *. Consulting her resentments as well as her policy, she also resolved to detain the commissioners of Mary in her dominions, till the earl of Murray should be sufficiently prepared to encounter their intrigues; and she now gave orders to Sir Francis Knollys to remove Mary from Bolton to Tutbury castle. Here she was entrusted to the care of the earl of Shrewsbury, and committed to a confinement more rigorous and severe than what she had hitherto experienced. Mary was shocked with this new indignity; but her complaints and remonstrances were fruitless and unavailing. A sentiment of terror succeeded the transports of her indignation; and for some time she was haunted with the thought, that Elizabeth meant to proceed to a tragical extremity, and finally to rid herself of a troublesome rival by poison or the dagger †.

Book IV. 1569.

The Regent takes measures to secure himself in power.

The Regent, upon his return to Scotland, was indefatigable to dissipate the reports which had been circulated against him, to keep together and augment his partisans, to collect troops, and to fix himself in authority. Being possessed of the powers and the resources of government, he was able to act against his enemies with the greatest advantage; and calling to- Feb. 12.

* Goodal, vol. ii. p. 328, 329. † Haynes, p. 511.

gether

Book IV. 1569. gether at Stirling, in the name of the King, a convention of the nobles, barons, and burgeſſes of his faction, he was careful to procure its approbation of his proceedings during the conferences in England. A narrative, or declaration of them, was recited to this aſſembly, and its ſanction ſerved to juſtify him to the people, and to give a blow to the popularity of the Queen. The terms, however, of the approbation beſtowed upon him and his aſſociates, did not lead to any extravagance of exultation or triumph. They were cold, diſtant, and general; and they indicated to men of penetration, that the diſtinction he had procured was rather a reſult of the ſpirit of party, than of the force of conviction or of juſtice *.

The duke of Chatelle-rault arrives in Scotland. During the trial of Mary, the duke of Chatellerault, who had come to England from France, to preſs his ſuperiority of claim to the Regency over the earl of Murray, was artfully detained by Elizabeth in her dominions. She apprehended his exertions in Scotland; and, upon the pretence that he ought to wait the termination of the conferences, ſhe kept him at her court with the greater facility, as it was expected that his miſtreſs would be victorious. Upon the diſmiſſion of Murray, his impatience to return to his own country, could not be oppoſed with any appearance of equity. He accordingly received her permiſſion to leave her dominions. Yet it was a conſequence of her arts, that he arrived not in Scotland till after the Regent had been employed for ſome weeks in fortifying himſelf. From the Queen of Scots he had received a commiſſion to the higheſt military command in her kingdom;

* Anderſon, Collections, vol. iv. p. 196.

and,

and, in order to ſtimulate his zeal, ſhe had alſo conferred upon him the titles of her adopted father and repreſentative *. Book IV. 1569.

Immediately upon his arrival at Edinburgh, he publiſhed a manifeſto, prohibiting the people of Scotland from acknowledging any ſovereign but the Queen; and the Regent, reſenting this ſtrong expedient, iſſued proclamations in the name of the King, calling his ſubjects to aſſemble in arms at Glaſgow. The duke took the alarm in his turn. Being doubtful of his ſtrength, apprehenſive of Elizabeth, and willing to take a due care of his eſtates and greatneſs, he ſolicited the clergy, who, at this time, were convened at Edinburgh, to recommend moderation to the Regent, and to inſiſt with him in the eſtabliſhment of peace and tranquillity, by a reaſonable method of accommodation. His brother, the archbiſhop of St. Andrews, was likewiſe earneſt in inculcating the propriety of pacific meaſures. The Regent, upon his part, diſcovered no unwillingneſs to treat. At Glaſgow, accordingly, a treaty of pacification was entered into by the two factions. The lord Herries, and the abbot of Kilwynning, who by this time had returned to Scotland, gave their aid in conducting it; and they were aſſiſted by the lord Caſſilis. Upon the part of the Regent, it was deſired, that the duke of Chatellerault, and his adherents, would acknowledge the authority of the King, declare themſelves his ſubjects, and promiſe to him their ſervice, obedience, and fidelity. Upon the part of the duke of Chatellerault, and his friends, it was required that every nobleman ſhould for the future enjoy his place in council, and all the privileges

The pacification of Glaſgow.

13th March.

* Buchanan, Hiſt. Rer. Scot. lib. xix. Spotſwood, p. 228. Crawfurd, Memoirs, p. 104.

of

Book IV. 1569. of his predeceſſors; that the Regent ſhould ſwear to behave himſelf uprightly to them, and diveſt himſelf of the partiality and remembrance of offences contracted and conceived during the late times of contention and violence; that all the perſons who had been forfeited for ſerving the Queen, ſhould, upon their acknowledgment of obedience to the King, be reſtored to their lands and eſtates; and that the Regent, and his confederacy, ſhould accord to ſuch articles and ſtipulations as ſhould be ſufficient to promote and advance the honour and emolument of the Queen, without derogating from the ſovereignty of the King, and from the ſecurity of his ſubjects. Theſe conditions being mutually accepted, it was agreed, that, upon the tenth day of April, a convention ſhould be held, in order to ratify them, and to deviſe the proper method of eſtabliſhing the affairs of the Queen. Theſe purpoſes were repoſed as a truſt in the Regent and the duke of Chatellerault, in the earls of Huntley, Argyle, Morton, Marre, Athol, and Glencairn, and in the lord Herries. Whatever articles ſhould be approved by the majority of theſe nobles, were to be accounted expedient and ſalutary; and the Regent pledged ſolemnly his honour, that all the parties to this buſineſs in their coming to Edinburgh, in their tranſactions there, and in their departing from it, ſhould be at their fulleſt liberty, and be expoſed to no harm, moleſtation, or danger of any kind. In the mean time it was reſolved, that no military powers ſhould be executed by the duke of Chatellerault and his adherents; and that the Regent ſhould take no ſteps to prejudge or violate their rights or property. The troops gathered upon each ſide were to be diſbanded; and for the ſecurity of the Regent, hoſtages

hoſtages were to be ſurrendered to him. The duke of Chatellerault conſented to entruſt him with one of his ſons. The earl of Caſſilis was to put himſelf into his keeping, or to enter his brother as the pledge of his ſincerity; and the lord Herries was to ſurrender his own perſon, or to give up his eldeſt ſon as his hoſtage. This agreement was duly ſubſcribed and concluded. The ſons, indeed, of the duke of Chatellerault, diſtruſting the integrity of the Regent, declined to go into his cuſtody as the ſurety of their father; but the archbiſhop of St. Andrews was accepted of in their place. The earl of Caſſilis, and the lord Herries, continued with the Regent, till they were relieved by their pledges *.

The treachery of the Regent.

He impriſons the duke of Chatellerault, the lord Herries, and the abbot of Kilwynning.

Matters ſeemed now to wear a peaceful aſpect; and immediately after this agreement, the heads of the two factions paid a viſit to the King at Stirling. The priſoners too, who had been taken at the battle of Langſide, were ſet at liberty. The moſt ſincere friends to the Queen were apprehenſive, however, that the leaders of the oppoſite parties would neglect her rights in their attention to their private intereſts; and that having many cauſes of hoſtility to each other, their minds were full of jealouſies and ſuſpicions. Amidſt the hopes and anxieties of the nation, the day of the convention arrived. The council of nobles who had been appointed to deliberate on the ſtate of affairs, and to give tranquillity to the kingdom, aſſembled themſelves. The Regent, riſing up in his place, and aſſuming the inſolence of power, produced a writing or inſtrument, and demanded to know, if the duke of Chatellerault would ſubſcribe it as an acknow-

* Haynes, p. 512, 513. Cabala, p. 161, 162. Crawfurd, Mem. p. 106. 110.

ledgment

Book IV. 1569. ledgment of his ſubmiſſion to the King. The duke, ſurprized, but not diſconcerted with this peremptory addreſs, replied, that he and his friends had engaged to acknowledge allegiance to the King upon conditions which they were ready to fulfil; that they were deſirous to confer upon theſe, and to be particularly informed of the terms of ſettlement which were to be granted to the Queen; and that it became not the Regent to behave to them with violence or inſincerity, ſince, adhering religiouſly to their agreement, they had thrown down their arms, had given hoſtages for their good conduct, and were ſtill diſpoſed to confide in his honour and aſſurances. The Regent made no return to theſe remonſtrances. Violating his integrity and his engagements, he took an early opportunity to command his guards to ſeize upon this nobleman, with the lord Herries and the abbot of Kilwyinning, and to commit them to cloſe cuſtody.

Argyle and Huntley ſubmit to him.

The Queen's faction were aſtoniſhed at the perfidious boldneſs of the Regent. They dreaded his arts of circumvention as much as his power. Argyle applied for a pardon; and as his carriage, during the late tumults, had been moderate, it was only required of him that he ſhould ſwear a conſtant and regular obedience to the King. The caſe of the earl of Huntley was more complicated and leſs favourable. During the abſence of the Regent, he had exerciſed a deſpotical authority in the diſtricts of Angus, Mearns, and Strathern, had appointed lieutenants over them, and had committed devaſtations and plunder upon the King's adherents. The counſellors of the Regents were divided in opinion about the method of treating him. His great wealth and conſequence diſpoſed ſome to recommend

recommend it as expedient to purchaſe his ſubmiſſion by an unlimited impunity. This lenity, however, met with ſtrenuous oppoſition. It was argued, that the grant of a free remiſſion to him would be an evident and cruel injuſtice to thoſe whom he had oppreſſed; that the example, by diſobliging and diſcouraging the King's friends, would ſerve to relax their zeal in the event of new troubles; that loſſes, ſuſtained in conſequence of ſervice and fidelity, ought at leaſt to be repaired by an ample compenſation; and that in the preſent ſtate of affairs, it was idle to entertain a dread of his power; ſince the gentry and barons who had joined him were chiefly the retainers of his fortune, and would betake themſelves to the ſucceſsful ſide; and ſince it was right, that they too ſhould compound for the miſchiefs and offences which could be proved againſt them. The Regent applauding theſe ſentiments, the earl of Huntley was made to anſwer for his own wrongs, and for thoſe of his vaſſalage; and the perſons who had entered into leagues with him, were reſpectively ſubjected to compenſations for their proper acts of oppreſſion and hoſtility. After the ſubmiſſion of Huntley, who took the oath of allegiance to the King at St. Andrews, the Regent made a progreſs to the North, and held juſtice courts at Aberdeen, Elgin, and Inverneſs, diffuſing his clemency and terror, diſuniting his enemies, and conſolidating his authority *.

Book IV. 1569. 14th May.

When

* Buchanan, Hiſt. Rer. Scot. lib. xix. Spotſwood, p. 229, 230.

It was about this time that Nicholas Hubert was executed, who is ſuppoſed to have carried the letters from Mary to Bothwel, and who was known by the name of French Paris. He had been detained in priſon above two years; and while the conferences were held at York and Weſtminſter, the earl of

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When the news of the impriſonment of the duke of Chatellerault, the lord Herries, and the

Negociations in England.

of Murray, and his party, did not think it proper to produce him before the commiſſioners; a circumſtance, which it is impoſſible that they could have neglected, if he had really been the meſſenger between Mary and Bothwel. The diſappointment of Elizabeth and the earl of Murray, on the failure of the trial of Mary, was extreme. Upon the return of Murray to Scotland, he was infinitely anxious to fall upon ſome device that might fix deciſively the guilt of Mary in the murder. Hubert was yet in cuſtody; and though the proper and natural uſe had not been made of him, he might, notwithſtanding, afford the foundation of a practice advantageous to the Regent. Accordingly, the Regent, after his execution, affected to be poſſeſſed of two confeſſions of his. The former of theſe confeſſions criminated Bothwel; and the latter aſperſed the Queen. By the diligence of a very accurate collector, they have both been ſubmitted to the eye of the public. Goodal, vol. i. p. 137. vol. ii. p. 76. See alſo Anderſon, vol. ii. p. 192. As they appear not to have proceeded from Hubert himſelf, and were never employed as judicial papers, they ought naturally to have been buried in ſilence. But a pertinacious appeal to them having been made by partial and ſyſtematic writers, they neceſſarily attracted a ſcrutiny which they did not deſerve, and have been demonſtrated irrefragably to be forgeries. See Goodal, vol. i. p. 135. 149. and Tytler, Inquiry, p. 117. 151.

But though I diſregard altogether their force upon the evidence produced by the inquiſitive and ingenious authors, who have taken the trouble to examine them; there are yet ſome circumſtances in their fate, which I hold to be remarkable and worthy of attention.

While the Regent was plotting to throw away from him the guilt of the King's murder, by the confeſſions of Hubert, biſhop Leſly was buſy in preparing his defence of his miſtreſs. During the conferences in England, the name of Paris had been often mentioned; and the circumſtance of the execution of a man in his peculiarity of ſituation, eſcaped not the remark of the biſhop. It happened too, that Paris, contrary to the expectations of the Regent, proteſted on the ſcaffold the innocence of the Queen, and that he had never carried any letters from her to Bothwel. The ſtrength of this dying declaration, from a perſon who was ſo important with Murray and his faction, ſtruck Leſly, and in his defence of the

the abbot of Kilwynning, reached the Queen of Scots, ſhe inſtructed the biſhop of Roſs to repair to Elizabeth, and to make remonſtrances in their behalf. By the agency of this eccleſi- Book IV. 1569.

the Queen; he thus touches upon it. "As for him that "ye ſurmiſe [he addreſſes Murray and his faction] was the "bearer of them [the letters], and whom you have exe- "cuted of late for the ſaid murther, he, at the time of "his execution, took it upon his death, as he ſhould an- "ſwere before God, that he never carried any ſuch letters, "nor that the Queene was participant, nor of counſayle in "the cauſe." Defence of Queene Marie's Honour, ap. Anderſon, vol. i. p. 19.

It is to be obſerved, that Leſly, while he was writing his excellent defence of Mary, knew nothing of the pretended confeſſions by Paris, which the Regent had prepared to criminate the Queen. In the month of October 1569, they were tranſmitted by the Regent to ſecretary Cecil. But while this ſtateſman was meditating upon the uſes to which they might be put, the Regent was ſhot at Linlithgow upon the 23d day of January, 1570. It is more than probable, that the ſecret of the forgery of the confeſſions was known to Cecil; and it is to be conceived, that the diſperſion of Leſly's book, as well as the murder of the Regent, deſtroyed any ſcheme that was formed of employing them as an engine to caſt odium upon the Queen of Scots.

Elizabeth, however, when new occaſions of envy, jealouſy, and paſſion, were urging her to violent acts againſt Mary, did not loſe ſight altogether of theſe confeſſions. In the year 1571, when her reſentments were very ſtrong, her miniſters conſulted about diſgracing Mary, by the means of theſe confeſſions. Dr. Wilſon, a member of her privy council, a man of penetration, and embelliſhed with literature, deliberated upon this ſubject with Cecil. In a diſpatch, from the former to the latter, there is this paſſage, "Sende unto me, *Paris*, cloſely ſealed, and it ſhall not "bee knowne from whenſe it cumeth." Murdin, p. 57. Theſe ſtateſmen, whoſe zeal for their miſtreſs was above any delicacy, found, however, upon the preſent occaſion, inſurmountable ſcruples in their ability. From a ſurvey of the confeſſions they dreaded their detection. No uſe of them, accordingly, was ever made againſt the Queen of Scots; and when Leſly was examined about his book, the miniſters of Elizabeth ſaid nothing to him about Paris.

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aſtic, whom ſhe had conſtituted her ambaſſador, ſhe meant to conduct her tranſactions with the Queen of England; and from the concluſion of the conferences, ſhe had been meditating a proper plan upon which to accompliſh her liberty and reſtoration. The biſhop of Roſs, after complaining loudly of the rigorous proceedings of the Regent, and intimating the general belief which prevailed that he was ſupported by the Engliſh court, preſſed the propriety of a final ſettlement of the affairs of his miſtreſs. With this view, he was admitted by Elizabeth and her privy-counſellors to frequent conferences; and they even deſired him to preſent to them in writing, the articles which he was commanded to propoſe as the foundation of a treaty. He failed not to comply with this injunction; and it was the import of his ſchedule of agreement, that Mary ſhould engage never to moleſt Elizabeth, and the lawful heirs of her body, in the matter of the ſucceſſion to the crown of England and Ireland, if a reciprocal ſecurity ſhould be given to her of her own rights upon their demiſe or failure; that a new treaty of alliance and friendſhip, ſhould be concluded between the two Queens, by the advice of the eſtates of both kingdoms; that this league ſhould be ratified by their oaths and ſeals, and confirmed by parliamentary acts; and if any farther aſſurance ſhould be deemed neceſſary on the part of Mary, that ſhe would procure the Kings of France and Spain, to be the guarantees of her punctuality and concord; that in compliance with the pleaſure of Elizabeth, ſhe would extend her clemency to all her ſubjects who had offended her, under the proviſion that they would ſubmit to her ſovereignty, deliver up the prince her ſon, reſtore her caſtles, give back her jewels, and ſurrender

to

to her friends and ſervants, the eſtates and poſſeſſions of which they had been deprived; that the murder of the King ſhould be puniſhed againſt all the actors in it without delay, and according to the laws; that to prevent Bothwel from returning to Scotland, and to pleaſe thoſe who imagined that it was in his power to excite ferments and trouble, ſhe would be bound to inſtitute a proceſs of divorce againſt him; and that theſe articles being adjuſted, the Queen of England ſhould allow her to proceed to Scotland, under a ſafe and honourable convoy, to be re-eſtabliſhed by the three Eſtates in her realm and government, and to be gratified with the diſſolution of all the acts and ſtatutes which had been paſſed to her prejudice *.

Advances are made in the projected marriage of the Queen of Scots with the duke of Norfolk.

Theſe heads of alliance were received with a reſpect and cordiality, which were not uſually paid to the tranſactions of Mary in the court of Elizabeth; and the biſhop of Roſs was elated with expectation. Their juſtice, however, was not the ſole, or even the chief cauſe of this attention and complaiſance. A combination of the Engliſh nobles had taken place againſt Cecil, whoſe power and credit were objects of indignation and jealouſy; and the duke of Norfolk had been active and ſucceſsful in promoting the ſcheme of his marriage with the Queen of Scots. Taking advantage of the condition of parties, he had practiſed with the principal nobility to encourage his pretenſions to Mary, and he ſecretly communicated to them the promiſes of ſupport he had received from the earl of Murray. By the advice and influence of Sir Nicholas Throgmorton, he engaged in his behalf the earl of Leiceſter; and this nobleman imparted

* Leſly, Negociations, p. 47, 48.

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the matter to the earls of Pembroke and Arundel. The duke himſelf was able to conciliate the favour of the earls of Derby, Bedford, Shrewſbury, Southampton, Northampton, Northumberland, Weſtmoreland, and Suſſex. In the mean time, he was eagerly preſſing Mary herſelf with his ſuit and importunities; and they had mutually exchanged the tokens of a conſtant and ſincere love. It was in this forward ſtate of the match, that the biſhop of Roſs drew up the ſchedule of articles for the accommodation of the rival Queens *.

The nobles of England propoſe articles of treaty and marriage to be accepted by Mary.

At the deſire of Elizabeth, her privy-council conferred with the biſhop upon theſe articles at different times; and they expreſſed themſelves to be highly pleaſed with their general import and meaning. Little doubt was entertained of their ſucceſs; and the earl of Leiceſter, in order to complete the buſineſs, and to ſerve the duke of Norfolk, undertook to give them a more ſpecial force, and to improve them by the introduction of a ſtipulation about the marriage of the Queen of Scots. According to his ſcheme of agreement, it was required of Mary, that ſhe ſhould be a party to no attempt againſt the rights and titles of the Queen of England, or her heirs; that ſhe ſhould conſent to a perpetual league, offenſive and defenſive, between the two kingdoms; that ſhe ſhould finally eſtabliſh the proteſtant religion in Scotland; that ſhe ſhould admit to her favour thoſe of her ſubjects who had appeared againſt her; that if ſhe had made any aſſignment of her kingdom to the duke of Anjou, in the expectation of a marriage to be contracted between them, it ſhould be diſ-

* Camden, p. 419. Leſly, Negociations, p. 49.

ſolved;

ſolved*; and that inſtead of looking to a foreign prince, whoſe alliance would be dangerous, not only to the religion but to the liberty of the two realms, ſhe would agree to marry the duke of Norfolk, the firſt peer of England †. Theſe articles being communicated to the biſhop of Roſs, he was deſired to tranſmit them to Mary; but as they touched upon ſome points concerning which he had no inſtructions, he declined this office, and recommended the propriety of their employing a ſpecial meſſenger of their own, in a commiſſion of ſuch high importance. They accordingly appointed Mr. Candiſh to go with them to the Queen of Scots, and, in a formal diſpatch, they extolled the merits of the duke of Norfolk; aſſured her of the general favour

* The report that Mary had made an aſſignment of her titles ro the duke of Anjou, appears to have been a calumny circulated by Cecil and the earl of Murray. It was alſo given out, that this conveyance had got the ſanction of the pope. Camden, p. 414. Mary uniformly aſſirmed, that ſhe had never executed any tranſaction of this kind. Leſly, Negociations, p. 53. And there is preſerved a letter from her expreſly on this ſubject to Elizabeth, in which, after appealing to her honour and conſcience, ſhe declares the charge to be altogether groundleſs, and conſiders it as a malicious falſhood invented by her enemies. Jebb, vol. ii. p. 260.

Elizabeth was ſtill incredulous, and ſaid, that ſhe was poſſeſſed of intercepted letters from France, which affirmed the ceſſion of Mary's rights to the duke of Anjou. Fenelon, the French ambaſſador, aſſured her that ſhe muſt have been deceived, and that theſe letters muſt be forgeries. She ſtill adhered to her opinion. Mary, completely to ſatisfy her, engaged to procure declarations from the king of France, the queen-mother, the duke of Anjou himſelf, and the cardinal of Lorraine, that no ſuch grant or reſignation had been ever made by her, or by any perſon whatſoever in her name. She accepted this offer; and the declarations being obtained, were formally delivered to her. Fenelon, Depeche, 53. 55. ap. Carte, p. 486.

† Camden, p. 420, Leſly, Negociations, p. 49, 50, 51.

Book IV. 1569. and ſupport of the Engliſh nobility, if ſhe ſhould approve of his love; and intimated their belief, that Elizabeth would not be averſe from a marriage which gave the certain promiſe of tranquillity and happineſs to the two kingdoms. This diſpatch was in the hand-writing of Leiceſter, and it was ſubſcribed by this nobleman and the earls of Arundel and Pembroke, and the lord Lumley *.

She agrees to the treaty and marriage propoſed to her. Mary, in the ſolitude of her priſon, received this application with a pleaſure which is eaſier to be conceived than expreſſed. By the lord Boyd ſhe returned a very favourable anſwer to it; but took the liberty to admoniſh them of the neceſſity of their ſecuring the good-will of Elizabeth, leſt her diſlike of the treaty, or the marriage, ſhould excite new diſaſters and misfortunes, and involve the duke of Norfolk in inconvenience and danger. This advice, the ſuggeſtion of her delicacy and prudence, did not draw ſufficiently their attention. The duke of Norfolk was now impatient to conclude this great tranſaction, in which he had engaged himſelf; and admitted into his councils many nobles whom he had hitherto neglected to court, and many gentlemen who were conſiderable from their diſtinction and fortunes. The countenance and conſent of the Kings of France and Spain were thought neceſſary to the meaſures in agitation, and were ſolicited and obtained. In the univerſality of the applauſe with which they were honoured, it was ſuppoſed, that Elizabeth would be allured into a cordial acknowledgment of their propriety, or be compelled to afford them a reluctant approbation †; and ſo ardent a belief

* Leſly, Negociations, p. 52. 54. 62. † Ibid.

prevailed

prevailed of their fortunate termination, that the marriage contract was actually entrusted to the keeping of M. Fenelon, the French ambassador *. Book IV. 1568.

The activity of the duke of Norfolk with the English nobles, did not so much engross his attention as to make him forget the Regent. He kept up with him a close correspondence in consequence of the concert into which they had entered, and received the most ample assurances of his fidelity and service. The most sanguine and seducing hopes elated him. The Regent, while he stipulated for terms of favour and se- Negociations with the Regent.

* Fenelon, Depeche, ap. Carte, vol. iii. p. 486.

The dispatches of Fenelon, who was a minister of probity as well as of talents, will be allowed to be above all exception with regard to the contract of marriage between Mary and the duke of Norfolk. He could have no reason, in a matter of this sort, to impose upon his court, and he could not be mistaken as to the existence of a paper which was actually lodged with him. Yet, when bishop Lesly was examined upon the commitment of the duke of Norfolk, he made the following declaration. "To my knowledge, assuredly, thair is no further past betwixt the Quene, my "mistres, and the duke in this cause, sauffing only ane "inclinatione of favour and good will in my mystres to "aggree to that thing, quhatsaever may be maist acceptable "to the Quene's majestie of this realme and her nobility; "to whom most humbly at all tymes she hath submitted "herself, and doeth in this and all utheris her causs, to do "that thing may stand with her honour and estait. And "thair is no *contract* past thairupon, as I do understand; "for that principaly the Quene, my mystres, wreit unto "me laitly, that only ane inclinatione hath appereth in "her, as to aggree to that thing at the plesour of the Quene "her good sister only, which is most precious to her in the "worlde, being the dispositione of her marriage." Haynes, p. 547. The ignorance of bishop Lesly, with regard to the contract, is a very remarkable circumstance. That the Queen should have acted artificially with so faithful a servant, was, doubtless, an injustice to him. Perhaps, her delicacy is to be ascribed to some scruple of the duke of Norfolk's; and he knew so well the character of Elizabeth, that any degree of caution was excusable in him.

Book IV.

1565.

curity to himſelf and his faction, appeared to be full of the marriage, as a meaſure from which the greateſt advantages would ariſe to the two kingdoms, to the two Queens, and to the true religion. The match, in the mean while, was anxiouſly, concealed from Elizabeth; but ſhe was zealouſly preſſed to conclude an accommodation with Mary, on the foundation of the ſchedule of agreement, preſented by the biſhop of Roſs. After having had many conferences with her privy council, ſhe ſeemed inclined to treat definitively for the reſtoration of the Queen of Scots, and actually agreed to open the tranſaction to the Regent. The lord Boyd was ſent into Scotland upon this buſineſs; and while he carried her letters, he was entruſted with diſpatches from Mary, the duke of Norfolk, and Sir Nicholas Throgmorton.

The propoſals of Elizabeth.

The requeſts of Mary.

The information and importunities of the duke of Norfolk and Sir N. Throgmorton.

As the Regent was returning from his Northern expedition, he was ſaluted at Elgin by the lord Boyd, who immediately laid before him the diſpatches and inſtructions, with which he had been charged. The Queen of England, in her letters, made three propoſitions in behalf of Mary, and intimated a deſire that one of them ſhould be accepted. The Queen of Scots, ſhe ſaid, might be reſtored, fully and abſolutely, to her royal eſtate; ſhe might be aſſociated in the government with her ſon, have the title of Queen, and till the Prince ſhould attain the age of ſeventeen years, the adminiſtration might continue in the Regent; or ſhe might be permitted to return to Scotland in a private ſtation, and have an honourable appointment to maintain her in a ſafe and happy obſcurity *. The diſpatches

* Buchanan, Hiſt. Rer. Scot. lib. xix. Spotſwood, p. 230. Leſly, Negociations, p. 70.

from

from Mary to the Regent desired that judges might immediately be allowed, to inquire into the legality of her marriage with Bothwel; and that, if it was found to have been concluded in opposition to the laws, it should be declared to be void, and the liberty be granted to her of entering anew into a matrimonial engagement *. The duke of Norfolk expressed to the Regent the gratitude he felt for his friendship; promised him the command of the fullest exertions of his consequence and power; entreated him to proceed expeditiously in promoting the business of the marriage; and referred him to the instructions of lord Boyd for a satisfactory answer to any doubts which might give him disgust or uneasiness †. By the letters of Throgmorton, the Regent

* Buchanan, Hist. Rer. Scot. lib. xix. Spotswood, p. 230. Lesly, Negociations, p. 70.

† "The copy of a lettre from the duke of Norfolk to the "erle of Murray, by the lord Boyd.

"My good lord,

"I have receaved your courteous lettre, whereby I do not only perceave yow well affected for the advancement of your commonweale, and the uniting of this land; but also your lordship's good mind towards me; which two points I cannot but note to your special comendation and my comefort: and as you shall prove me industrious to assist you with all my power in the one, so shall yow not find me ungrateful in the other, but redy to requite yow to my uttermost for your friendship so frankly offered: the rather I shall have occasion to imploy myself for the just reward of your deserts; the soner I shall think myself in nature, friendship, and conscience, discharged of my obligation. In the mean time, good my lord, assure yourself that you have not only purchased a faithful friend, but also natural brother, who is not, nor will be less careful of your weale and surety than of his own honour and credit; whereof I am fully perswaded you dowte not, and therefore in that point I need not be over tedious. But briefly to returne to that yow desire to be satisfied of, which is, for my marriage with the Queen your sister. Wherein I must deal plainely with your lordship as my

Book IV. Regent was advertiſed that the marriage of the Queen of Scots with the duke of Norfolk was
1569. a certain and decided point, and he was counſelled to concur heartily and expeditiouſly in this tranſaction, that his conſent might not ſeem to have been extorted. Maitland of Lethington was recommended to him by this ſtateſman, as the perſon whom he ſhould chooſe to repreſent

my only friend, that I have proceeded ſo farre therein, as I with conſcience can neyther revoke that that I have don, nor never do meane, while I do leve, to go back from this that is don; nor with honour proceed further until ſuch time, as yow there ſhall remove all ſuch ſtumbling-blocks as be empechments to our more apparent proceedings: which when by yow it ſhall be finiſhed, upon my honour, the reſt ſhall fallow to your contentment and comfort. Wherefore, my very earneſt requeſt at this preſent to you, my good lord, is, that you will procede herein with ſuch expedition, as the enemies to this good purpoſe (which will be no ſmall nombre) againſt the uniting of this land into one kingdome in time coming, and the maintenance of Godd's true relligion, may not have opportunity, through delay, given them, to hinder our pretenſed determinacions; againſt the which, I am of opinion, there will be no practice of foraign princes omitted. This much, I hope, be ſuffieient to reſolve yow of your deſire towching the mariage; referring myſelf wholly for your ample inſtruction and ſatisfaction, in all points, to my lord Boyd; who hath commiſſion by the Queen of Scotland, your ſiſter, and alſo by me, to reſolve yow of all dowts; whom I wiſh yow to credit as myſelf. Yow ſhall not want the furtherance in this enterprize of the moſt part of the noblemen of this realm, whoſe faithful friendſhip in this cauſe, and all other my actions, I have to my contentment ſufficiently proved.

"Thus being perſwaded, that your lordſhip's endeavour is for the maintenance of Godd's glorie, and the advancement of the commonweale of this iſland, I have adventured to impart my ſeveral determinations, as to one whom I mak accompt to be fully aſſured of; and unto whom I wiſh long life and proſperous health to his herty deſire. So with my herty comendations, I ceaſe at this preſent for no furder moleſtations to your good friendſhip.

'From my houſe in London, the firſt day of July.' Haynes, p. 520.

him

him in the Engliſh court, as he could negotiate beſt the terms and mode of his ſecurity, and of that of his party. In fine, Throgmorton entreated him not to be troubled with any preciſe ſcruples or objections, for that his overthrow, if he reſiſted, would be inevitable; and in the view of his ſervices and cordiality, he aſſured him, that no man's friendſhip would be accepted with greater affection, and no man's eſtimation be higher or more fortunate *. The zeal of Throgmorton induced him alſo, upon this occaſion, to addreſs to Maitland a diſpatch, in which he was infinitely importunate to haſten his expedition to England, in the character to which he recommended him. He complimented him as the fitteſt perſon to open the match to the Engliſh Queen on the part of the Regent and the Scottiſh nobility; and he repreſented the ſucceſs of the ſcheme to be infallible; as Elizabeth would never be ſo unwiſe as to put her own ſafety, the peace of her kingdom, and the preſervation of her people, in competition with the partial deviſes that might proceed from the vanity and the paſſions of any perſon whatſoever †. He enumerated the names of the Engliſh nobility, who had confederated to promote the marriage. He enlarged upon it as an expedient full of wiſdom, and as advantageous in the higheſt degree to religion and the ſtate. He pointed out the laſting and inſeparable connexion of England and Scotland as its happy and undoubted conſequence. For if James VI.

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* Spotſwood, p. 230.

† He probably meant to glance at the enmity which Cecil had diſcovered to the Queen of Scots; and he alſo gratified his own reſentment againſt the Engliſh ſecretary, who, though inferior to him in knowledge and capacity, was far more ſucceſsful in the career of political greatneſs.

ſhould

Book IV. 1569.

ſhould die, the ſceptres of the two kingdoms might devolve to an Engliſh prince; and if he ſhould attain to manhood, he might marry the daughter of the duke of Norfolk, and unite, in his perſon, the two crowns *.

A convention of the three eſtates deliberates on the reſtoration of Mary, and on her divorce from Bothwel.

Theſe weighty diſpatches employed fully the thoughts of the Regent. The calls of juſtice and humanity were loud in the behalf of Mary; his engagements to Norfolk were preciſe and definitive; and the commiſſion of Elizabeth afforded him the command of the moſt important ſervices. But, on the other hand, the reſtoration of Mary, and her marriage, would put an end for ever to his greatneſs; and, amidſt all the ſtipulations which could be made for his protection, the enormity of his guilt was ſtill haunting him with ſuſpicions and terror. His ambition, and his ſelfiſh ſenſibilities, were an overmatch for his virtue. He practiſed with his partizans to throw obſtacles in the way of the treaty, and the marriage; and, on the pretence of deliberating concerning the reſtoration of Mary, and on her divorce from Bothwel, a convention of the eſtates was ſummoned by him to aſſemble at Perth. To this aſſembly, the letters of Elizabeth were recited; and her propoſitions were conſidered in their order. The full reſtoration of Mary to her dignity was accounted injurious to the authority of the King; and her aſſociation with her ſon in the government, was judged improper and dangerous; but it was thought that her deliverance from priſon, and her reduction to a private ſtation, were reaſonable expedients. No definitive decree, however, was pronounced. The letters of Mary were then communicated to this council, and

* Camden, p. 419, 420. Spotſwood, p. 231.

gave

gave riſe to vehement debates. She had written and ſubſcribed them in her character of Queen of Scotland. This carriage was termed inſolent and imperious by the friends of the Regent. They alſo held it unſafe to examine her requeſts till they ſhould be communicated to Elizabeth; and they inſinuated, that ſome inclement and partial device was concealed under the purpoſe of her divorce from the earl of Bothwel. The favourers of Mary endeavoured to apologize for the form of the letters, by throwing the blame upon her ſecretaries, and engaged, that while the commiſſaries, or judges, were proceeding in the buſineſs of the divorce, new diſpatches in the proper method ſhould be applied for and procured. They were heard with evident ſymptoms of diſpleaſure, and exclaimed, "that it was wonderful to them, that thoſe very perſons who lately had been ſo violent for the ſeparation of the Queen and Bothwel, ſhould now be ſo averſe from it." The partizans of the Regent replied, "that if the Queen was ſo eagerly ſolicitous to procure the divorce, ſhe might apply to the King of Denmark to execute Bothwel as the murderer of her huſband; and that then ſhe might marry the perſon who was moſt agreeable to her." The paſſions of the two factions were inflamed to a moſt indecent extremity, and the convention broke up with ſtrong and unequivocal marks of hoſtility and anger *. Book IV. 1569.

Notwithſtanding the caution with which Mary and Norfolk carried on their intrigues, intimations of them had come to Elizabeth. Norfolk himſelf, by the advice of the earl of Pembroke †, had Elizabeth diſappoints the deſigns of Mary and the duke of Norfolk.

* Buchanan, Hiſt. Rer. Scot. lib. xix. Spotſwood, p. 231. Crawfurd, Memoirs, p. 114. † Camden, p. 420.

The

BOOK IV. 1569. had ventured to diſcloſe his ſecret to Sir William Cecil, who affected to be friendly to him. The Regent, in anſwer to her letters, tranſmitted to her the proceedings of the convention at Perth. The application of Mary for a divorce was a key to the ambitious hopes of the duke of Norfolk. She commanded Sir William Cecil to apply himſelf to diſcover the conſpiracy. This ſtateſman betrayed the confidence with which he had been entruſted; and Elizabeth, while the duke was attending her at Farnham, diſcovering a mixture

The duke of Norfolk was, doubtleſs, a dupe to ſecretary Cecil; for it is not to be imagined, that a miniſter ſo devoted to the paſſions of his miſtreſs, could be ſincere in giving encouragement to the intrigues of this nobleman. Sir Nicholas Throgmorton, in his letters by lord Boyd to the Regent and Lethington, apprehended the oppoſition of Cecil to the treaty and the marriage. The duke of Norfolk, however, having communicated to him his practices with Cecil, he altered conſiderably his language in new diſpatches to them, but was ſtill impreſſed with ſuſpicions of the Engliſh ſecretary. In a diſpatch to Lethington, in the end of July, he has this paſſage.

"As for Mr. Secretary, you are not to learn, that as he "liketh not to go too faſt afore, ſo he coveteth not to tarry "too far behind; and eſpecially when the reliques be of no "great value or power. If I could as well aſſure you of his "magnanimity and conſtancy, as of his preſent conformity, "I would ſay confidently, you may repoſe as well of him, "in this matter, as the duke of Norfolk, the earls of Arun-"del, Pembroke, Leiceſter, Bedford, Shrewſbury, and the "reſt of the nobility; all which do embrace and proteſte "the accompliſhment of this caſe." Robertſon's Appendix, p. 327.

Even after his intrigues were diſcovered, the duke appears to have had a reliance on the friendſhip of Cecil; for when he had withdrawn from court, he conſulted this ſtateſman, whether he would be in ſafety to return to it; and he was informed, "that he might come and go at his pleaſure, as no "man either would or durſt offend him." Melvil, Memoirs, p. 198. Yet, at this very time, Cecil was preſſing it upon his miſtreſs, that her crown would fall into hazard if ſhe neglected to put the duke of Norfolk into cloſe cuſtody.

of

of pleaſantry and paſſion, admoniſhed him to be careful on what pillow he repoſed his head. The earl of Leiceſter, alarmed by his fears, revealed to her at Titchfield the whole proceedings of the duke of Norfolk and his friends. Her fury was ungovernable; and at different times ſhe loaded Norfolk with the ſevereſt reproaches and contumely, for preſuming to think of a marriage with the Queen of Scots without the ſanction of her concurrence. Inſulted with her diſcourſe and her looks, abandoned by Leiceſter, and avoided by other nobles in whom he had confided, he felt his courage to forſake him. He left the court at Southampton without taking his leave, and went to London to the earl of Pembroke. New intimations of her diſpleaſure were announced to him, and he retired to his ſeat at Kenninghall in Norfolk. His friends preſſed him to take the field, and to commit his ſafety to the ſword; but having no inclination to involve his country in the miſeries of war, he rejected their advice; and addreſſing an apology to Elizabeth, proteſted that he never meant to depart from the fidelity which he owed to her; and that it was his fixed reſolution to have applied for her conſent to his marriage with the Queen of Scots. In return, ſhe ordered him to repair to her court at Windſor; and, as he appeared to be irreſolute, a meſſenger was diſpatched to take him into cuſtody. He was firſt confined to the houſe of Paul Wentworth, at Burnham, in the neighbourhood of Windſor, and then committed to the Tower. The earls of Pembroke and Arundel, the lord Lumley, Sir Nicholas Throgmorton, and the biſhop of Roſs, were alſo apprehended and confined *.

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* Haynes, p. 528. 533, 534, 535, 536. 539. Leſly, Negotiations, p. 79, 80.

Elizabeth,

Book IV. 1569.

Elizabeth, amidſt the ferment of her inquietudes, forgot not to gratify her revenge by inſulting the Queen of Scots. The name of Mary was ſufficient to convulſe her with anger. The earl of Huntington, who affected to have pretenſions to the crown of England, that were preferable to thoſe of the Scottiſh princeſs, was joined with the earl of Shrewſbury in the office of guarding her. His inſtructions were rigorous, and he was diſpoſed to exceed them. The earl of Shrewſbury conſidered it as an indignity to have an aſſociate who was a declared enemy to his charge, who had an intereſt in her death, and who was remarkable for a natural ferocity of diſpoſition. Mary exclaimed againſt the indelicacy and the rudeneſs of Elizabeth, and proteſted that all her intentions were commendable and innocent. Huntington took a delight in her ſufferings. He ranſacked her coffers with a view of making diſcoveries; but her prudence had induced her to deſtroy all the evidences of her tranſactions with the duke of Norfolk; and the officious aſſiduity of this jailor was only rewarded with two cyphers which he could not comprehend. The domeſtics whom ſhe favoured were ſuſpected and diſmiſſed. Her train of attendants was diminiſhed. An unrelenting watch was kept upon her. No couriers were allowed to carry her diſpatches. No meſſengers were admitted to her preſence; and all the letters from her friends were ordered to be intercepted, and to be conveyed to the Queen of England *.

Mary is expoſed to new indignities.

The Regent betrays the duke of Norfolk.

The proceedings of the convention at Perth were afflicting to Elizabeth, to Mary, and to the duke of Norfolk. In the former they created ſuſpicions of the Regent; and they were a certain

* Spotſwood, p. 231. Haynes, p. 526, 527. 536. 537.

annunciation

annunciation to the latter, that he was reſolved to ſupport himſelf in the government of Scotland *. Uncertain rumours had reached Elizabeth of the interviews he had held with Norfolk in the buſineſs of the marriage. Her ſurprize and indignation were infinite. Mr. Wood, who brought from the Regent his anſwer to her letters, was treated with diſreſpect. Secretary Cecil diſpatched intimations to the lord Hunſdon, the governor of Berwick, to carry a penetrating eye to his operations. Elizabeth, by a ſpecial envoy, required from him an explanation of his ambiguous carriage. The Regent, true to his intereſts, apologized to her for his connexions with the duke of Norfolk, by laying open the deſign of that nobleman to cut him off, in his way to Scotland, by a full communication of whatever had paſſed between them in relation to Mary, and by offers of an unlimited ſubmiſſion and obedience †.

1569.

While

* "He hath a new marke in hys eye, no leſs than a "kingdom: God ſend hym ſuch lucke as others have hade "that hathe followyd hys courſe." 15 Sept. 1569. The duke of Norfolk to Cecil. Haynes, p. 522.

† Cabala, p. 168. Camden, p. 420, 421.

Some hiſtorians have charged the earl of Murray with betraying Norfolk to Elizabeth at the very time he was holding interviews with him at her court. This imputation, however, is an injury to him; and the ſame impartiality which has prompted me to deſcribe his demerits, induces me to vindicate him upon this occaſion. In a diſpatch from ſecretary Cecil to Mr. Drury, the marſhal of Berwick, there is this paſſage. "You ſhall give the erle of Murray to underſtand "by your own ſpeche, or by writing, that the Quene's ma"jeſtie has of late found it very ſtrange, to hear it affirmed "very plainly and credibly, that he ſhould at his being here, "and ſence his departure, by his ſervant John Wood, mo"tion, and earneſtlie labor to compaſſe the marriage of the "Scottiſh Quene with the duke of Norfolke; whereof ne"ther he himſelf, nor any of his did ever notify the ſame to

Book IV.

1569. An insurrection breaks out in England.

While the duke of Norfolk was carrying on his intrigues with Mary, the ſcheme of an inſurrection for her deliverance was advancing under the direction of the earls of Northumberland and Weſtmoreland. Motives of religion were the chief foundation of this conſpiracy; and the more zealous Catholics over England were concerned in it. Mary, however, by the advice of the duke of Norfolk, who was afraid of her matching with a foreign prince, did not enter into it with cordiality. It advanced notwithſtanding; and the agents of the pope were laviſh of exhortations and donatives. The duke of Alva, by the order of his maſter, the king of Spain, encouraged the conſpirators with the offer of twenty thouſand men from the Netherlands; and under the pretence of adjuſting commercial diſputes, he had ſent into England Chiapini Vitelli, marquis of Cetona, an officer of ability, that he might be at hand, and prepared to take the command of them. The report of an inſurrection was univerſal. Elizabeth kept an army of fifteen thouſand men near her perſon *. The Queen of Scots was removed to Coventry, a place of great ſtrength; and if a ſuperior and commanding force ſhould appear before it, her ferocious keeper, it is ſaid, had or-

" hir majeſty. And howſoever he ſhall be induced to think " hereof, her majeſtie willeth, that he never ſhall find her " ſo weake in this ſo great a cauſe, as to ſuffer this to pro- " cede, being ſo attempted without her privity. And if he " have not been a firſt beginner, nor a labourer herein, her " majeſtie would directly honour the truth for his knowledge " in the ſame. For ſhe thinketh it reaſonable for hym to " deal playnly with hir majeſtie, conſidering ſhe hath in all " his cawſes delt ſo favourably towards him. And if he " ſhall appear to hir majeſty not faulty herein, he ſhall hold " himſelf aſſured of the continuance of her favours." Southampton, 9 September 1569. Haynes, p. 521.

* Cabala, p. 169.

ders

ders to aſſaſſinate her *. Repeated commands were ſent to the earls of Northumberland and Weſtmoreland to repair to court. But the impriſonment of the duke of Norfolk, and his friends, had ſtruck a panic into them. They conceived that their conſpiracy was diſcovered, and putting themſelves at the head of their followers, they iſſued their manifeſto †. The reſtoration of popery, the eſtabliſhment of the titles of Mary to the Engliſh crown, and the reformation of abuſes in the commonwealth, were the avowed objects of their enterprize. But they had embarked in a buſineſs for which they were altogether unequal. Their efforts were feeble and deſultory. The duke of Alva forgot his promiſes. Wherever the peace was diſturbed by inſurgents, there were troops to oppoſe them. The vigilance of Elizabeth diſconcerted with eaſe the operations of men, whom no reſources or popularity could have conducted to greatneſs, and who could neither conquer nor die. The earl of Weſtmoreland, after concealing himſelf for ſome time in Scotland, effected an eſcape into Flanders, where he paſſed a miſerable and uſeleſs exiſtence; and the earl of Northumberland, being taken by the Regent, was impriſoned in the fortalice of Lochlevin ‡.

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As the fury of Elizabeth abated, her reſentment to the duke of Norfolk loſt its power; and ſhe failed not to diſtinguiſh between the intrigues of an honourable ambition, and the practices of an obſtinate ſuperſtition. It was the reſult of the examination of this nobleman, and of the confeſſions of the other priſoners, that Lethington

Elizabeth gives liberty to the duke of Norfolk and his friends.

* Camden, p. 421. † Haynes, p. 564. ‡ Camden, p. 422. Buchanan, Hiſt. Rer. Scot. lib. xix Spotſwood, p. 232.

Book IV. 1569. had ſchemed the buſineſs of the marriage, and that the earl of Murray had encouraged it; that her conſent was underſtood to be neceſſary to its completion; and that Mary herſelf had warmly recommended the expedient of conſulting her pleaſure *. Upon receiving proper admonitions, the earls of Pembroke, Arundel, the lord Lumley, Sir Nicholas Throgmorton, and the biſhop of Roſs, were releaſed from confinement; and, after a more tedious impriſonment, the duke of Norfolk himſelf was admitted to his liberty. This favour, however, was not extended to him till he had not only ſubmiſſively acknowledged his preſumption in the buſineſs of the marriage, but had fully revealed whatever had paſſed between Mary and him, and ſolemnly engaged himſelf never more to think of this alliance, and never more to take any concern whatſoever in her affairs †.

Maitland, of Lethington, is accuſed of the king's murder.

The Regent, in the mean while, was very anxious to recover the good opinion of Elizabeth. Her treatment of Mr. Wood, and her diſcovery of his practices, had excited his apprehenſions. He therefore aſſembled at Stirling a convention of the eſtates, and taking her letters a ſecond time into conſideration, returned her a reply to them by Robert Pitcairn, abbot of Dunfermling, in a ſtyle ſuited to her temper and jealouſies, and from which ſhe could deciſively infer, that no favour of any kind would be ſhewn to the Queen of Scots ‡. But this baſe condeſcenſion, though aſſiſted by his treachery to the duke of Norfolk, not being ſufficient, in his opinion, to draw completely to him the cordiality of the Queen of England, he was preparing to gratify her with

* Leſly, Negociations, p. 80.
† Haynes, p. 597, 598.
Ibid, p. 573, 574.
‡ Buchanan, Hiſt. Rer. Scot. lib. xix.

another

another ſacrifice. The partiality of Maitland to Mary, and his intrigues with Norfolk and the Engliſh malcontents, had rendered him uncommonly obnoxious to Elizabeth and her miniſtry. The late commotions had been chiefly aſcribed to his arts; and it was natural to dread new calamities and tumults from the fruitful ſpring of his invention. Under the pretence of employing his ſervice in diſpatches to England, the Regent invited him to Stirling. He was then with the earl of Athol at Perth; and ſuſpecting ſome improper device, he obeyed the ſummons with reluctance. When he took his place in the privy council, captain Crawford, the minion of the earl of Lennox, who had diſtinguiſhed himſelf in the trial of Mary, accuſed him in direct terms, of being a party in the murder of the late King. The Regent affected aſtoniſhment, but permitted him to be taken in cuſtody. He was ſoon after ſent to Edinburgh under a guard, and admoniſhed to prepare for his trial. Upon ſimilar charges the lord Seaton, and Sir James Balfour, were ſeized upon and impriſoned *. Book IV. 1569.

Kircaldy of Grange, the governor of the caſtle of Edinburgh, who was warmly attached to Maitland, after having remonſtrated in vain with the Regent on the violence of his conduct, employed addreſs and ſtratagem in the ſervice of his friend. Under the cover of night, he went with a guard of ſoldiers to the lodging where Maitland was confined, and ſhowing a forged warrant for taking his perſon into keeping, got poſſeſſion of him. Kircaldy had now in his caſtle the duke of Chatellerault, the lord Herries, and Maitland. The Regent ſent for him to a conference; but he refuſed to obey his meſſage. He put himſelf Kircaldy of Grange protects Maitland.

* Melvil, Memoirs, p. 199. Spotſwood, p. 252.

and

Book IV. 1569.

and his fortreſs under the direction of his priſoners. The Regent, condeſcending to pay him a viſit, was more laviſh than uſual of his promiſes and kindneſs. His arts, however, only excited the diſdain of this generous ſoldier. Since he could not lead out Maitland to the block, he inſtituted a proceſs of treaſon againſt him, in order to forfeit his eſtates. Kircaldy, by the mouth of a trumpeter, deſired him to commence ſimilar actions againſt the earl of Morton, and Mr. Archibald Douglas, as it was notorious, that they were parties to the King's murder. This meſſenger was likewiſe charged with delivering a challenge from him to Mr. Archibald Douglas, and another from the lord Herries to the earl of Morton. This diſappointment, and theſe indignities, made a deep impreſſion upon the Regent; and in a thoughtful and diſſatisfied humour, he, about this time, made a ſhort progreſs towards the Engliſh border, courting popularity, and deſerving it, by an attention to order and juſtice *.

Elizabeth agrees to deliver up Mary to the Regent.

Elizabeth, flattered by his ſubmiſſive advances, and pleaſed with his ambition, was now diſpoſed to gratify his fulleſt wiſhes; and ſhe perceived, that by delivering to him the Queen of Scots, ſhe would effectually relieve herſelf of a priſoner, whoſe vigour and intrigues were a conſtant interruption to her repoſe. A treaty for this purpoſe was entered into and concluded. The Regent was to march an army to the Engliſh frontiers, and to receive from her his ſovereign into her own dominions, the victim of his power, and the ſport of his paſſions. No hoſtages and no ſecurity were ſtipulated for her entertainment and good uſage. His authority over her was to be without any limits. Upon his part, he was to

* Crawfurd, Memoirs, p. 120. Spotſwood, p. 232 Melvil, Memoirs, p. 202.

deliver

deliver to Elizabeth the young prince, to put her in poſſeſſion of the principal forts of Scotland, and to aſſiſt her with troops in the event of a war with France. This treaty, ſo fatal to Mary, and ſo ruinous to the independency of Scotland, eſcaped not the vigilance of the biſhop of Roſs. He complained of it in the ſtrongeſt terms to Elizabeth, and declared it to be equivalent to a ſentence of death againſt his miſtreſs. The ambaſſadors of France and Spain were alſo ſtrenuous in their remonſtrances to her upon this ſubject. All reſiſtance, however, was unavailing, and the execution of the treaty ſeemed inevitable. Yet how vain are the loftieſt ſchemes of human pride! The career of the Regent was haſtening to its termination; and the hand of an aſſaſſin put a period to his dream of royalty. Scotland did not loſe its liberties; but Mary continued to be unfortunate *. Book IV. 1569.

The death of the Regent.

James Hamilton, of Bothwelhaugh, who had been taken a priſoner at the battle of Langſide, obtained his liberty and life, but his eſtates were forfeited. His wife, the heireſs of Woodhouſlie, retired upon this emergency to her paternal inheritance, in the hope that it might eſcape the rapacity of the Regent. He had, however, given it away in a gift to one of his favourites, Sir James Ballenden; and the inſtruments of his power having the inhumanity to ſtrip her of her garments, and to turn her naked out of her houſe, in a cold and dark night, ſhe became diſtracted before the morning. Hamilton vowed revenge; and the Regent made a mockery of his threats. This contempt inſpirited his paſſions; and the humiliation of the Houſe of Hamilton, to which he was nearly allied, foſtered the eagerneſs of his

* Leſly, Negociations, p. 83, 84.

diſcontents.

Book IV. 1569. diſcontents. The madneſs of party fermented in him with the atrociouſneſs of rage. His mind reconciled itſelf to aſſaſſination. After watching, for ſome time, a proper opportunity to commit his horrible purpoſe, he found it at Linlithgow. The Regent was to paſs through this town in his way from Stirling to Edinburgh. Intimations reached him that Hamilton was now to perpetrate his deſign; and he unaccountably neglected them. The aſſaſſin, in a houſe that belonged to the archbiſhop of St. Andrews, waited deliberately his approach, and, firing his muſket from a window, 23 Jan. 1570 ſhot him through the body. The wound, when examined, was not judged to be mortal; but the Regent, finding its pain to increaſe, prepared himſelf for death; and in a few hours his ſoul took its departure. A fleet horſe of the abbot of Arbroth's carried the aſſaſſin to the palace of Hamilton; and from thence he ſoon after effected his eſcape into France*.

His character. Such was the lamentable fate of James Stuart, earl of Murray. Great talents, a pleaſing exterior, and a propitious fortune, had conducted him to diſtinction and eminence. A ſelfiſh and inſatiable ambition was his ruling appetite; and he purſued its dictates with an unſhaken perſeverance. His inclination to aſpire beyond the rank of a ſubject was encouraged by the turbulence of his age; and his connexions with Elizabeth overturned in him altogether the virtuous reſtraints of allegiance and duty. He becatne an enemy to his ſiſter and his ſovereign; and the arts by which he accompliſhed her overthrow, are the vouchers of his capacity, and his demerits. His obligations to her were exceſſive; his ingratitude was monſtrous; and no language has

* Cabala, p. 172. Melvil, Memoirs, p. 205. Crawfurd, p. 140. Spotſwood, p. 233.

any

any terms of reproach that are ſufficiently powerful to characterize his perfidiouſneſs and cruelty to her. Uncommon pretenſions to ſanctity, and to the love of his country; with the perpetual affectation of acting under the impulſe of honourable motives, concealed his purpoſes, and recommended him to popular favour. His manners were grave, even to ſadneſs. By a compoſed and ſevere deportment, and by oſtentatious habits of devotion, he awakened and ſecured the admiration of his contemporaries. His houſe had a greater reſemblance to a church than a palace *. A dark ſolemnity reigned within its walls; and his domeſtics were preciſe, pragmatical, and mortified. The more zealous of the clergy were proud of reſorting to him; and while he invited them to join with him in the exerciſes of religion, he paid a flattering reſpect to their expoſitions of the Scriptures, which he hypocritically conſidered as the ſacred rule of his life †. By an attention to law and juſtice, he endeavoured to conciliate the approbation of men, upon whom he could not impoſe by his affectations of piety. He was ſedulous in attending the court of ſeſſion; and as the moſt ſalutary ſtatutes are of little avail where their adminiſtration is corrupt, he repreſſed with vigour the inordinate venality of its ſenators ‡. To the intereſts of ſcience and learning he was favourable in an uncommon degree; and Buchanan, who had taſted his bounty, gives a varniſh to his crimes. The glory of having atchieved the Reformation, afforded him a fame

BOOK IV. 1570.

* Spotſwood, p. 234. † Buchanan, lib. xix.

‡ Quoties a bello vacaret, totum diem Judicum collegio aſſideret. Ea præſentis verecundia fiebat, ut neque tenuiores per calumniam opprimerentur, neque, in potentiorum gratiam, li ibus in longum dilatis, exhaurirentur. Buchan. Hiſt. lib xix.

Book IV. 1570.

that was moſt ſeducing and brilliant. His other projects were equally ſucceſsful; and perhaps they were more difficult and arduous. But as they were little diſtinguiſhed by heroic action, and were far leſs honourable, they added no ſplendor to his renown; and it has been ſuppoſed * that his talents were more eminent in his youth, than in his riper age. His activity, however, had only changed its objects; and his capacity and ambition were, at all times, equally ardent and vigorous. His abilities, notwithſtanding, though extenſive and various, were better calculated for the ſtruggles of faction, than the ſpeculations of polity. He was greater as a demagogue than as a miniſter; and it was more flattering to him to be the viceroy of a foreign potentate, than to direct the councils of his natural ſovereign. His genius aſſimilated with buſtle; and though he could be eaſy and tranquil in the midſt of dangers, the ever-flowing ſtream of circumſtances in the details of government, fatigued his attention, and diſturbed his repoſe. With a cold and perfidious heart, he conferred favours without being generous, and received them without being grateful. His enmity was implacable; his friendſhip dangerous; and his careſſes, oftener than his anger, preceded the ſtroke of his reſentment. The ſtandard of his private intereſt directed all his actions, and was the meaſure by which he judged of thoſe of other men. To the neceſſities of his ambition he was ready to ſacrifice every duty and every virtue; and in the paroxyſms of his ſelfiſhneſs, he feared not the commiſſion of any crime or cruelty, however enormous or deteſtable. Upon his elevation to the Regency, he gave a free indulgence to his pride. He parted with

* Hume, vol. v. p. 167.

that

that ſhow of ſincerity and candour which had contributed to his riſe, and became ſullen and diſtant *. He neglected and deſpiſed his antient friends, and, indulging himſelf in the enjoyment of ſtatelineſs and adulation, aſſumed that contemptuous air which befits only a deſpot who is ſurrounded with ſlaves. The pillars of his greatneſs were forſaking him; and the blow that laid him in the duſt only prevented his exit in the field, or on the ſcaffold. To the great body of the Scottiſh nobles, whoſe conſequence he had humbled, his death was a matter of ſtern indifference, or of ſecret joy; but to the common people, it was an object of ſincere grief, and they lamented him long under the appellation of the godly Regent. Elizabeth bewailed in him a ſtrenuous partizan, and a choſen inſtrument by which ſhe might ſubvert the independency of Scotland; and Mary, tender and devout, wept over a brother, a heretic, and an enemy, whom a ſudden and violent deſtiny had overtaken in his guilty career, with his full load of unrepented crimes †.

* Melvil, Memoirs, p. 205. Crawfurd, Memoirs, p. 128.

† Camden, p. 425.

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